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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 1. REAL PROPERTY AND)
17 IMPROVEMENTS LOCATED AT)
18 118 TEXAS STREET, SAN FRANCISCO,)
CALIFORNIA, AND)
19 2. REAL PROPERTY AND)
20 IMPROVEMENTS LOCATED AT)
21 39265 COVELO ROAD, WILLITS)
CALIFORNIA,)
22 Defendants.)

No. C 06-3115 ~~MJJ~~ CRB

**SETTLEMENT STIPULATION AND
~~[PROPOSED]~~ ORDER OF FORFEITURE
RE DEFENDANT 118 TEXAS STREET**

23 This Agreement is solely by and between plaintiff, United States of America (hereinafter
24 "Plaintiff"), and claimants Rafael Ramirez, Sr. and Maria Ramierez, to compromise and settle their
25 claims to the defendant real property and improvements located at 118 Texas Street, San Francisco
26 (hereinafter "Texas Street Property") in the above-captioned action. The parties hereby stipulate and
27 agree as follows:

28 **SETTLEMENT AGREEMENT AND
[PROPOSED] FORFEITURE ORDER RE TEXAS STREET PROPERTY**
[C 06-3115 MJJ]

1 1. On May 10, 2006, plaintiff filed a complaint seeking forfeiture of the Texas Street
2 Property, pursuant to Title 21, United States Code, Section 881(a)(7), alleging that said property was
3 used by Rafael Ramirez, Jr., as a stash house to store illegal controlled substances, and to facilitate the
4 cultivation of marijuana.

5 2. Carlos Ramirez, Rafael Ramirez, Jr., Rafael Ramirez, Sr. and Maria Ramirez each have
6 an ownership interest in the Texas Street Property.

7 3. On May 2, 2006, a federal grand jury for the Northern District of California returned an
8 indictment charging Rafael Ramirez, Jr., among others, for their participation in a conspiracy to
9 distribute controlled substances. On March 23, 2007, Rafael Ramirez, Jr. pled guilty to possession with
10 the intent to distribute and distribution of methamphetamine, in violation of Title 21, United States Code,
11 Section 841(a)(1) and agreed to forfeit his interest in the Texas Street Property to the United States.

12 4. Carlos Ramirez filed a claim asserting his interest in the Texas Street Property. Pursuant
13 to this stipulation, Carlos Ramirez hereby withdraws his claim and consents to the forfeiture of his
14 interest in the Texas Street Property.

15 5. Rafael Ramirez, Sr. and Maria Ramirez each filed claims to the Texas Street property in
16 this action, and are without knowledge or involvement of the drug activity on the property.

17 6. In full settlement of their claims in this action, Rafael Ramirez, Sr. and Maria Ramirez
18 shall pay the United States the sum of \$55,000 (which sum represents 50% of the estimated equity value
19 in the property) to retain full title to the Texas Street property in lieu of forfeiture of the portions of the
20 Texas Street Property held by Rafael Ramirez, Jr. and Carlos Ramirez. Claimants shall make said
21 payment in the form of a cashier's check made payable to the United States Marshals Service within 90
22 days from the date of entry of this Order.

23 7. Upon full payment as set forth in paragraph 6 above, the United States will release its lis
24 pendens recorded against the Texas Street Property and will transfer all right, title and interest it obtains
25 in said property to Claimants Rafael Ramirez, Sr. and Maria Ramirez.

26 8. Claimants Rafael Ramirez, Sr. and Maria Ramirez agree to hold harmless Plaintiff and
27 any agents, servants, and employees of the United States (or any state and local law enforcement agency)

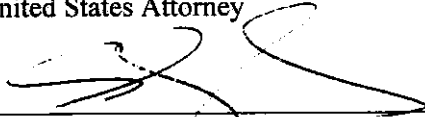
1 acting in their individual or official capacities, for all acts directly or indirectly related to or arising from
2 the forfeiture of the Texas Street Property or this forfeiture action.

3 9. Each party agrees to bear its own costs and attorneys' fees.


4 10. This Agreement is contingent on the Court's entry of an order or judgment declaring the
5 interests of Rafael Ramirez, Jr. in the Texas Street Property forfeited to the United States pursuant to the
6 motion for default judgment currently pending in this action.

7
8 DATED:

JOSEPH P. RUSSONIELLO
United States Attorney

9
10 
11 STEPHANIE M. HINDS
Assistant United States Attorney


12 DATED: 05 24. 10

13 
14 NINA WILDER
Attorney for Claimants Rafael Ramirez, Sr. and Maria
Ramirez

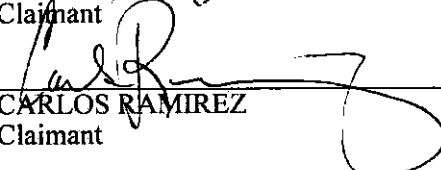
15 DATED: 5-6-2010

16 
17 RAFAEL RAMIREZ, SR.
Claimant

18 DATED: 5-6-2010

19 
20 MARIA RAMIREZ
Claimant

21 DATED: 5/10/10

22 
23 CARLOS RAMIREZ
Claimant

24 **ORDER**

25 IT IS SO ORDERED.

26 DATED: June 2, 2010

27 United States
28

