

1
2
3
4
5
6
7
8
9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
11

12 UNITED STATES OF AMERICA,
13 Plaintiff,
14 v.
15 \$15,600.00 in U.S. CURRENCY,
16 Defendant.

Case No.: 18-CV-637 JLS (BGS)

**ORDER GRANTING EX PARTE
MOTION**

(ECF No. 2)

17
18 Presently before the Court is Plaintiff the United States of America's Ex Parte
19 Motion to Appoint the United States Marshal as Custodian and to Deposit Defendant
20 Currency in Seized Assets Deposit Accounts and to Substitute the Res, ("MTN," ECF No.
21 2). Plaintiff requests an exception to General Order 273 which relieves the United States
22 Marshal from his duties of seizing and storing property. (*Id.* at 1; *see* S.D. Cal. General
23 Order 273 (outlining general guidelines "In the Matter of Appointing Substitute Custodian
24 for Seized Property", http://sp.casd.circ9.dcn/General%20Orders/GO_273.pdf.) Plaintiff
25 states the United States Marshals Service has consented to assume responsibility for the
26 protection of the defendant currency and has established the Seized Assets Deposit
27 Account for the deposit of seized currency until further order of the Court. (MTN 1.)

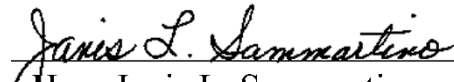
28 Good cause appearing, the Court **GRANTS** Plaintiff's Motion and:

1 (1) **ORDERS** that the United States Marshal **SHALL** be custodian of the defendant
2 currency on behalf of this Court until further Order; and

3 (2) **ORDERS** that the United States Marshal **SHALL** deposit the defendant
4 currency in the Seized Assets Deposit Account which shall be substituted as the res in this
5 action. *See United States v. \$57,480.05 U.S. Currency & Other Coins*, 722 F.2d 1457,
6 1459 (9th Cir. 1984) (tacitly approving account-for-currency res substitution).

7 **IT IS SO ORDERED.**

8 Dated: April 2, 2018


9 Hon. Janis L. Sammartino
10 United States District Judge

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28