

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 10, 2016

SEAN F. MCAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

No. 2:15-CV-3135-SMJ

Plaintiff,

**ORDER GRANTING MOTION
FOR ENTRY OF A FINAL
ORDER OF FORFEITURE**

v.

APPROXIMATELY \$10,700.00 U.S.
CURRENCY,
2007 CADILLAC ESCALADE SUV,
BERETTA PIETRO S.P.A. 92A1 9MM
CALIBER PISTOL,

Defendants.

Before the Court is the U.S. Attorney's Office's (USAO) Motion for Entry of Final Order of Forfeiture Final, ECF No. 30. Plaintiff, United States of America, alleged in a Verified Complaint for Forfeiture In Rem that the Defendant property captioned above is subject to forfeiture to the United States pursuant to 21 U.S.C. § 881. ECF No. 1.

The Defendant property being forfeited is described as follows:

1) Approximately \$10,700.00 in U.S. currency, seized by DEA from Jose Manuel Quezada, and Berta Alisia Beltran, on or about March 2, 2015, pursuant to a federal search warrant executed at their residence in Mabton, Washington.

2) 2007 Cadillac Escalade SUV, Washington License Number

1 ARR3702, VIN: 1GYFK63817R399719.

2 3) a Beretta Pietro S.P.A. 92A1 9mm caliber pistol, seized by DEA
3 from Jose Manuel Quezada, and Berta Alisia Beltran, on or about
4 March 2, 2015, pursuant to a federal search warrant executed at their
5 residence in Mabton, Washington.

6 On October 16, 2015, the United States Marshals Service executed the
7 Warrant of Arrest In Rem for the Defendant \$10,700.00 U.S. funds and the 2007
8 Escalade. The returned warrant was filed with the Court under the above cause
9 number on October 21, 2015. ECF No. 5.

10 On October 20, 2015, the United States Drug Enforcement Administration
11 executed the Warrant of Arrest In Rem for the Defendant Berretta Pietro Pistol.
12 The returned warrant was filed with the Court under the above cause number on
13 October 21, 2015. ECF No. 6.

14 In accordance with Fed. R. Civ. P. Rule G(4)(a)(iv)(C), Supplemental Rules
15 for Admiralty or Maritime Claims and Asset Forfeiture Actions, notice of civil
16 forfeiture was posted on an official government website www.forfeiture.gov
17 beginning October 26, 2015 and running through November 24, 2015. ECF No.
18 17, 17-1 and 17-2. Based upon the internet publication start date of October 26,
19 2015, the last date to file a timely claim if direct notice was not received was
20 December 25, 2015.

1 On or about October 23, 2015, BERTA ALISIA BELTRAN was served,
2 via certified mail, return receipt requested, with a copy of the Verified Complaint
3 for Forfeiture In Rem, Warrants of Arrest In Rem, and Notice of Complaint for
4 Forfeiture, at her last known address. ECF No. 9 and 9-1. Based upon the direct
5 notice service date of October 23, 2015, Berta Alisia Beltran's deadline to file a
6 timely claim was November 27, 2015. To date, no response or claim of interest
7 has been received by the United States or filed with the Court, and the time
8 allowed for filing of her claim has expired. On or about December 9, 2015, the
9 United States filed its Notice of Motion for Default, which was served via
10 certified mail upon Berta Alisia Beltran, at her last known address. ECF No. 12.
11 To date, no response has been received from Ms. Beltran. On January 13, 2016,
12 the United States filed and served its Motion for Entry of Clerk's Order of
13 Default. ECF No. 18. On January 14, 2016, a Clerk's Order of Default was
14 entered against Berta Alisia Beltran. ECF No. 25.

15 On or about October 23, 2015, BACILIO RUIZ-GUZMAN was served in
16 care of his attorney Douglas K. Garrison, and at his last known address via
17 certified mail, return receipt requested, with a copy of the Verified Complaint for
18 Forfeiture In Rem, Warrants of Arrest In Rem, and Notice of Complaint for
19 Forfeiture. ECF No. 8 and 8-1. Based upon the direct notice service date of
20 October 23, 2015, Bacilio Ruiz-Guzman's deadline to file a timely claim was

1 November 27, 2015. To date, no response or claim of interest has been received
2 by the United States or filed with the Court, and the time allowed for filing of his
3 claim has expired. On or about December 9, 2015, the United States filed its
4 Notice of Motion for Default, which was served via certified mail upon Bacilio
5 Ruiz-Guzman in care of his attorney, Douglas A. Garrison, and at his last known
6 address. ECF No. 13. To date, no response has been received from Mr. Ruiz-
7 Guzman. On January 13, 2016, the United States filed and served its Motion for
8 Entry of Clerk's Order of Default. ECF No. 19. On January 14, 2016, a Clerk's
9 Order of Default was entered against Bacilio Ruiz-Guzman. ECF No. 26.

10 On or about October 23, 2015, ELVIRA M. RUIZ was served in care of her
11 attorney Douglas K. Garrison, and at her last known address, via certified mail,
12 return receipt requested, with a copy of the Verified Complaint for Forfeiture In
13 Rem, Warrants of Arrest In Rem, and Notice of Complaint for Forfeiture. ECF
14 No. 7 and 7-1. Based upon the direct notice service date of October 23, 2015,
15 Elvira M. Ruiz's deadline to file a timely claim was November 27, 2015. To date,
16 no response or claim of interest has been received by the United States or filed
17 with the Court, and the time allowed for filing of her claim has expired. On or
18 about December 9, 2015, the United States filed its Notice of Motion for Default,
19 which was served via certified mail upon Elvira M. Ruiz in care of her attorney,
20 and at her last known address. ECF No. 14. To date, no response has been

1 received from Ms. Ruiz. On January 13, 2016, the United States filed and served
2 its Motion for Entry of Clerk's Order of Default. ECF No. 20. On January 14,
3 2016, a Clerk's Order of Default was entered against
4 Elvira M. Ruiz. ECF No. 27.

5 On or about October 23, 2015, JOSE MANUEL QUEZADA was served at
6 his last known address, via certified mail, return receipt requested, with a copy of
7 the Verified Complaint for Forfeiture In Rem, Warrants of Arrest In Rem, and
8 Notice of Complaint for Forfeiture. ECF No. 11 and 11-1. Based upon the direct
9 notice service date of October 23, 2015, Jose Manuel Quezada's deadline to file a
10 timely claim was November 27, 2015. To date, no response or claim of interest
11 has been received by the United States or filed with the Court, and the time
12 allowed for filing of his claim has expired. On or about December 9, 2015, the
13 United States filed its Notice of Motion for Default, which was served via
14 certified mail upon Jose Manuel Quezada at his last known address. ECF No. 15.
15 To date, no response has been received from Mr. Quezada. On January 13, 2016,
16 the United States filed and served its Motion for Entry of Clerk's Order of
17 Default. ECF No. 21. On January 14, 2016, a Clerk's Order of Default was
18 entered against Jose Manuel Quezada. ECF No. 28.

19 On or about October 23, 2015, SEAN MICHAEL TAYLOR was served at
20 his last known address, via certified mail, return receipt requested, with a copy of

1 the Verified Complaint for Forfeiture In Rem, Warrants of Arrest In Rem, and
2 Notice of Complaint for Forfeiture. ECF No. 10 and 10-1. Based upon the direct
3 notice service date of October 23, 2015, Sean Michael Taylor's deadline to file a
4 timely claim was November 27, 2015. To date, no response or claim of interest
5 has been received by the United States or filed with the Court, and the time
6 allowed for filing of his claim has expired. On or about December 9, 2015, the
7 United States filed its Notice of Motion for Default, which was served via
8 certified mail upon Sean Michael Taylor at his last known address. ECF No. 16.
9 To date, no response has been received from Mr. Taylor. On January 13, 2016, the
10 United States filed and served its Motion for Entry of Clerk's Order of Default.
11 ECF No. 22. On January 14, 2016, a Clerk's

12 Order of Default was entered against Sean Michael Taylor. ECF No. 29.

13 To date, no responses, motions, or claims to the Defendant property have been
14 received.

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1 Accordingly, **IT IS HEREBY ORDERED:**

2 **1.** U.S. Attorney's Office's (USAO) Motion for Entry of Final Order of
3 Forfeiture Final, **ECF No. 30**, is **GRANTED**.

4 **2.** The listed assets are **FORFEITED** to the United States and shall be
5 disposed of in accordance with law.

6 **IT IS SO ORDERED.** The Clerk's Office is directed to enter this Order
7 and provide copies to all counsel.

8 **DATED** this 10th day of March 2016.

9 
10 SALVADOR MENDEZ, JR.
11 United States District Judge