

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No.05-10110-01-MLB
)	
JUAN ESPARZA,)	
)	
Defendant.)	
_____)	

PRELIMINARY ORDER OF FORFEITURE

NOW on this 10th day of February, 2006, the motion of the United States for a Preliminary Order of Forfeiture comes on for decision.

1. The Court finds that the defendant has consented to the forfeiture of his interest in the following personal property:

CURRENCY:

- a. All United States currency in the approximate amount of \$22,405.00 recovered on or about November 26, 2003, from Defendant, Juan Esparza, and Co-Defendant, Abigail Esparza, at 2020 South Santa Fe, Wichita, Kansas.
- b. All United States currency in the approximate amount of \$4,000.00 recovered on or about January 29, 2004, from Defendant, Juan Esparza, at 2026 S. Santa Fe, Wichita, Kansas.

MONEY JUDGMENT

- a.. The Defendant, Juan Esparza further consents to the entry of a money judgment against him in the amount of \$26,405.00. The defendant acknowledged and agreed that this figure, \$26,405.00 represents the amount of proceeds obtained as a result of the conduct in Counts 1 and 3 of the Indictment.
2. Upon the entry of this Order, the United States shall cause to be published for

three successive weeks in a newspaper of general circulation, notice of this Order, notice of the United States' intent to dispose of the property according to law, and notice that any other person, other than the defendant, having or claiming a legal interest in any of the above-listed forfeited property must file a petition with this Court within thirty days of the final publication of notice, or receipt of actual notice whichever is earlier.

3. Further, the notice shall state that the petition shall be for a hearing to adjudicate the validity of the petitioner's alleged interest in the property, shall be signed by the petitioner under penalty of perjury, and shall set forth the nature and extent of the petitioner's right, title or interest in each of the forfeited properties, and any additional facts supporting the petitioner's claim and the relief sought.

4. The United States may also, to the extent practicable, provide direct written notice to any person known to have alleged an interest in the property that is identified, above, as a substitute for published notice as to those persons so notified.

5. Upon adjudication of all third-party interests, this Court will enter a Final Order of Forfeiture.

s/Monti Belot
MONTI L. BELOT
UNITED STATES DISTRICT JUDGE