

ELECTION OF PROCEEDINGS - CAFRA FORM

NOTE: READ THE ATTACHED NOTICE OF SEIZURE AND INFORMATION FOR CLAIMANTS BEFORE YOU FILL OUT THIS FORM. THIS FORM SHOULD BE COMPLETED AND RETURNED TO U.S. CUSTOMS AND BORDER PROTECTION (CBP) at 9495 Customhouse Plaza, San Diego, CA 92154.

I understand that property in which I have an interest has been seized by CBP/U.S. Immigration and Customs Enforcement (ICE) under case number 20202506000 [REDACTED].

Check ONLY ONE (1) of the following choices:

- 1. I REQUEST THAT CBP CONSIDER MY PETITION ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED.** My petition is attached. By making this request, I understand that I can request, in writing, that my case be referred for judicial forfeiture proceedings at any time prior to the completion of the administrative forfeiture proceedings or as set forth in the notice of seizure. If I choose to wait for an administrative decision on my petition, my deadline for filing a claim as required by 18 U.S.C. § 983(a)(2)(B) is 60 days from the date of the petition decision; or, if I choose to file a supplemental petition, my deadline for filing a claim as required by 18 U.S.C. § 983(a)(2)(B) is 60 days from the date of the supplemental petition decision. If I file a complete "Seized Asset Claim" form or other claim consistent with the requirements of 18 U.S.C. § 983(a)(2)(C), CBP consideration of my petition will stop and the case will be sent to the United States Attorney's Office for judicial forfeiture proceedings.

- 2. I REQUEST THAT CBP CONSIDER MY OFFER IN COMPROMISE ADMINISTRATIVELY BEFORE FORFEITURE PROCEEDINGS ARE INITIATED.** My offer is attached. By making this request, I understand that I can request, in writing, that my case be referred for judicial forfeiture proceedings at any time prior to the completion of the administrative forfeiture proceedings or as set forth in the notice of seizure. If I choose to wait for an administrative decision on my offer, my deadline for filing a claim is 30 days from the date of the decision. If I file a complete "Seized Asset Claim" form or other claim consistent with the requirements of 18 U.S.C. § 983(a)(2)(C), CBP consideration of my offer will stop and the case will be sent for judicial forfeiture proceedings.

- 3. I ABANDON ANY CLAIM OR INTEREST I MAY HAVE IN THE PROPERTY.** I understand that no additional notice about future proceedings concerning the property will be provided to me.

- 4. I AM FILING A CLAIM AND REQUESTING THAT CBP REFER THE CASE FOR COURT ACTION.** Please send the case to the U.S. Attorney for court action. I have fully completed, signed and attached a "Seized Asset Claim" form. I understand that if I have not fully completed this form, or otherwise made a proper claim and request for judicial forfeiture pursuant to 18 U.S.C. § 983(a)(2)(C) within 35 days after the date the notice of seizure was mailed, CBP will treat any submission as a petition for relief without the ability to seek future judicial forfeiture proceedings.

Name (Print)

Date

Signature

PETITION FOR REMISSION OR MITIGATION OF FORFEITURES AND PENALTIES INCURRED

Notice: Use this form if you want U.S. Customs and Border Protection to decide your request for the release of property and/or relief from liability incurred of the following mitigating circumstances.

Instructions: This form (Parts I - III) *must* be completed in English and signed.

In accordance with Title 19 U.S.C. 1618; CFR 171.1. I request U.S. Customs and Border Protection consider my petition for remission or mitigation from forfeiture administratively in order to obtain the release of my property.

PART I

Seizure or Penalty Number 20202506000 [REDACTED]

Date of Seizure December 23, 2019

Place of Seizure Otay Cross Border Express

Full Name (First, Middle, Last) [REDACTED] Ramirez

Address [REDACTED] Chula Vista, CA 91911

Telephone Number

PART II

Instructions: Provide certified copies (or originals) of all bills of sale, purchase contracts, receipts, or any other documentary evidence to establish your interest in the seized property. Failure to do so may result in denial of your petition.

Note: Use separate piece of paper when necessary.

A. Describe the property that was seized (i.e., 1999 Ford Truck VIN # 123A456B789C0)

B. State your interest in the seized property listed above. Are you the owner, lien holder, or otherwise?

C. State the facts and circumstances relied upon to justify relief from forfeiture. If the property was in someone else's possession at the time of seizure, please provide an explanation how it came into their possession.

PART III

A false statement contained in a petition may subject the petitioner to prosecution under the provision of 18 U.S.C. 1001.

Signature

Date

Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0100. The estimated average time to complete this application is 14 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW., Washington DC 20229.

**U.S. CUSTOMS AND BORDER PROTECTION
CAFRA SEIZED ASSET CLAIM FORM**

Name: [REDACTED] Ramirez

Case Number: 20202506000 [REDACTED]

Address: [REDACTED]
Chula Vista, CA 91911

Telephone No: (____) _____ - _____

IMPORTANT: BE SURE TO COMPLETE ALL PARTS BELOW.

THIS CLAIM FORM MUST BE SIGNED BY THE CLAIMANT HIS OR HER SELF, NOT BY THE ATTORNEY OR OTHER REPRESENTATIVE ACTING ON BEHALF OF THE CLAIMANT.

As authorized by 18 U.S.C. § 983(a) (2) (A), I request that the Government file a complaint for forfeiture on the seized property described below:

PART I

List all the items in which you claim an interest. Include sufficient information to identify the items, such as serial numbers, make and model numbers, aircraft tail numbers, photographs, and so forth. Attach additional sheets of paper if more space is needed.

PART II

State your interest in each item of property listed above. Attach additional sheets of paper if more space is needed.

PART III (ATTESTATION AND OATH)

I attest and declare *under penalty of perjury* that the information provided in support of my claim is true and correct to the best of my knowledge and belief.

Name (Print)

Date

[REDACTED]

Signature

A FALSE STATEMENT OR CLAIM MAY SUBJECT A PERSON TO PROSECUTION UNDER 18
U.S.C. § 1001 AND/OR 1621 AND IS PUNISHABLE BY A FINE AND UP TO FIVE YEARS
IMPRISONMENT.