

ORIGINAL

FILED DISTRICT COURT
Third Judicial District

AUG 17 2012

SALT LAKE COUNTY

By [Signature] Deputy Clerk

SIM GILL (6389)
District Attorney
CHAD L. PLATT (8475)
Deputy District Attorney
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THIRD JUDICIAL DISTRICT COURT
SALT LAKE COUNTY, STATE OF UTAH

THE STATE OF UTAH,

Plaintiff,

-vs-

ONE LOT OF PERSONAL PROPERTY, South
Jordan Police Department, CASE 12f002453,
DESCRIBED AS (\$858.00), EIGHT
HUNDRED FIFTY EIGHT DOLLARS
UNITED STATES CURRENCY, ONE 2002
FORD EXPLORER VIN#
1FMZU72EX2ZA73738,

Defendant,

VICTOR HUGO SANCHEZ AND MARIA
DE LOS ANGELES TORRES,

Potential Owners and/or Interest
Holders known to the State of Utah.

STIPULATION & SETTLEMENT
AGREEMENT & ORDER OF JUDGMENT

Case No. 120902166 FP

Judge: Kate Toomey

IT IS HEREBY STIPULATED, by and between Chad L. Platt, Deputy District Attorney,
counsel for Plaintiff State of Utah, and Claimant Maria De Los Angeles Torres, represented by
German T. Flores, as follows:

1 1. This Stipulation and Settlement Agreement contemplates and comprises a mutual
2 resolution and agreement regarding facts and law. Each of the parties hereto desire to avoid the
3 expense and inherent risks of litigation, and therefore each of the parties hereto enter into, and
4 agree to be bound by this Stipulation and Settlement Agreement & Order of Judgment.

5 2. The parties hereto agree that the following property which was seized on or about
6 March 7, 2012 shall be ordered forfeited as property used or intended to be used to facilitate the
7 distribution or possession with intent to distribute controlled substances; and/or as representing
8 criminal proceeds traceable to any violation of the *Utah Controlled Substances Act*
9 (*"Act"*), Claimant Maria De Los Angeles Torres renouncing any and all claims thereto, to wit:
10 (\$858.00), EIGHT HUNDRED FIFTY-EIGHT DOLLARS, UNITED STATES CURRENCY.

11 3. The parties hereto agree that the following property which was seized on or about
12 March 7, 2012 shall be returned to Claimant Maria De Los Angeles Torres, to wit: ONE 2002
13 FORD EXPLORER VIN# 1FMZU72EX2ZA73738.

14 4. The parties hereto agree that the seizing agency, South Jordan City Police
15 Department, shall release the ONE 2002 FORD EXPLORER VIN# 1FMZU72EX2ZA73738, to
16 Claimant Maria De Los Angeles Torres without any additional storage fees or fines.

17 5. The parties agree that pursuant to the provisions of the above cited *Act*, Utah
18 Code Ann. § 24-1-17(4)(b), the Salt Lake County District Attorney's Office be awarded its
19 reasonable attorney's fees and costs incurred in filing and pursuing this action, to be calculated
20 from the forfeited currency only.

21 6. That from the forfeited currency, the seizing agency may deduct its reasonable
22 and direct costs and expenses of obtaining and maintaining the property held during the
23 pendency of this action, if any.

24 7. That the remaining net forfeited property, if any, be ordered transferred from the
25 seizing agency, South Jordan City Police Department, to the Criminal Forfeiture Restricted

1 Account to be administered by the Commission on Criminal and Juvenile Justice in funding the
2 Crime Reduction Assistance Program as provided under the *Act*.

3 8. That no party admits guilt, fault, or liability by way of this agreement, which is
4 not admissible in any other proceeding.
5

6 9. That each party bears their own legal costs herein.

7 In Witness Whereof, the parties set their hands:

8
9 
Chad L. Platt

Deputy District Attorney, for Plaintiff

Dated this 1st day of August, 2012.

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11 
12 German T. Flores, attorney for Claimant

13 Dated this 8 day of August, 2012.

14
15 **ORDER**

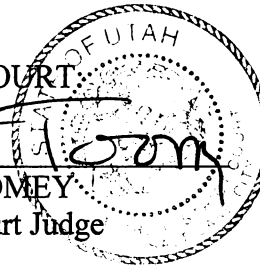
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17 The Court finds that that foregoing Stipulation & Settlement and Order of Judgment
18 should be adopted as the Order of this Court.

19 IT IS SO ORDERED.

20 DATED this 14 day of Aug, 2012.

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22 BY THE COURT:

23 
24 KATE TOOMEY
25 District Court Judge



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CERTIFICATE OF DELIVERY

I hereby certify that an Original and true and correct copy of the foregoing Stipulation & Settlement and Order of Judgment was delivered, via deposit in the United States Mail, first class postage prepaid, on the 1st day of August, 2012, addressed to the following:

German T. Flores
Counsel for Ms. Torres
246 North Orem Blvd.
Orem, Utah 84057