

LEGAL NOTICE – ATTENTION

THE TULALIP TRIBAL COURT for the Tulalip Indian Reservation, Tulalip, WA
Notice of Petition for Forfeiture and Summons by Publication

The Tulalip Tribes Office of Reservation Attorney gives notice that the property listed below was seized for forfeiture for violation of Tribal Law. Laws and procedures applicable to the forfeiture process can be found in Tulalip Tribal Code (TTC) Chapters 2.10 and 2.60. The code is available online at this website: (<http://www.codepublishing.com/WA/Tulalip/>).

TO FILE A CLAIM: If you are an owner or claimant, you may contest the forfeiture of the property listed below by filing an answer with the Tribal Court no later than 30 days after the date of final publication of this notice. You must serve a copy of your answer on the Tribal Prosecutor. You may request a copy of the summons, petition, and evidence in your case from the Tribal Prosecutor.

Tribal Court
6332 31st Ave. NE, Suite B,
Tulalip WA 98271
360-716-4773

Tribal Prosecutor
6330 31st Ave. NE
Tulalip WA 98271
360-716-4810

DEADLINE TO FILE ANSWER: **November 12, 2019**

DATE OF FIRST PUBLICATION: September 13, 2019

THE FOLLOWING PROPERTY IS BEING HELD PENDING FORFEITURE:

2015 Honda Civic VIN #19XFB2F54FE706696 seized by Tulalip Tribal Police from Miguel Torres-Fuentes (driver), Megan McCarren (registered owner), and Capital One Auto Finance, (legal owner) on August 29, 2019 at 3300 block of Marine Drive, Tulalip, Washington 98271. – A Summons re Seized Property and Petition for Forfeiture of Seized Property have been filed with the Tulalip Tribal Court.

FAILURE TO FILE AN ANSWER WITHIN THE TIME ALLOWED MAY RESULT IN FORFEITURE OF THE LISTED PROPERTY.

THE PETITION AND SUMMONS IN THESE CASES CAN BE FOUND ON THE FOLLOWING PAGES.

1
2
3 **IN THE TULALIP TRIBAL COURT**
4 **FOR THE TULALIP INDIAN RESERVATION**
5 **TULALIP, WASHINGTON**

6 IN REM THE FORFEITURE OF:

7 2015 HONDA CIVIC
8 VIN #19XFB2F54FE706696

NO. TUL-CV-FO-2019-

SUMMONS RE SEIZED PROPERTY

TPD Incident No. 19-3076
Primary Officer K. Zoller

(Clerk's Action Required)

9
10 TO: Miguel Torres-Fuentes
11 9423 3rd Avenue Se
Everett, WA 98207

Megan McCarren
5116 N. 43rd Street
Tacoma, WA 98407

12 Capital One Auto Finance
13 P.O. Box 660068
Sacramento, CA 95866

14 YOU ARE HEREBY NOTIFIED that the Tulalip Tribes, Plaintiff, by and through its
15 prosecuting authority, has filed a petition with the Court that seeks to have forfeited, to the
16 benefit of the Tribes, certain property that you allegedly own, claim, or have an interest.

17 Pursuant to Chapter 2.60.070§(4)(a), of the Tulalip Tribes Code of Law, you have thirty
18 (30) days after you have been served the petition and this summons to file with the Court a
19 response to the allegations described in the petition. No extension of the time for filing the
20 response may be granted. Failure to respond within 30 days may bar you from presenting
21 evidence at any later evidentiary hearing regarding the seized property. Further, if no response
22 is filed within 30 days after service of the petition and summons, the Court, upon motion of the
23 Tribes, shall order the property forfeited to the Tribes.

24 Chapter 2.60.070§(4)(b) governs responses to forfeiture petitions. The Clerk's Office
25 does not provide legal advice. It is your responsibility to familiarize yourself with the applicable
26

1 tribal law—which is available from the Clerk’s Office and on-line at:
2 <http://www.codepublishing.com/WA/Tulalip/>

3 Your response must be mailed to, or personally filed with, the Clerk’s Office at 6332-
4 31st Ave NE, Suite B, Tulalip WA 98271.

5 Questions regarding the petition should be addressed to the Tulalip Tribes Prosecutor’s
6 Office at 360-716-4810, not to the Clerk’s Office.

7
8 DATED this _____ day of September, 2019.

9
10 _____
11 CLERK OF THE COURT
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

1
2
3 **IN THE TULALIP TRIBAL COURT**
4 **FOR THE TULALIP INDIAN RESERVATION**
5 **TULALIP, WASHINGTON**

6 IN REM THE FORFEITURE OF:

7 2015 HONDA CIVIC
8 VIN #19XFB2F54FE706696

NO. TUL-CV-FO-2019-

**PETITION FOR FORFEITURE OF
SEIZED PROPERTY**

TPD Incident No. 19-3076
Primary Officer K. Zoller

9
10 COMES NOW the Tulalip Tribes, Plaintiff, by and through its prosecuting authority, to
11 petition the Court to institute proceedings for the forfeiture of the property described in section
12 I, below. The Court has subject matter jurisdiction over these proceedings, and this Petition is
13 made pursuant to, Chapter 2.60 of the Tulalip Tribes Code of Law.

14 **I. SUBJECT PROPERTY**

15 As described in detail in Tulalip Police Incident Report #19-3076, which is on file with
16 the Tulalip Tribal Court under this cause number, on or about the 29th day of August, 2019,
17 Tulalip Tribal Police (TPD) seized a 2015 Honda Civic VIN #19XFB2F54FE706696 from
18 Miguel Torres-Fuentes (driver) in the vicinity of 3300 block of Marine Drive NE, Tulalip,
19 Washington in connection with narcotics trafficking on the Tulalip Reservation.

20 **II. AUTHORITY**

21 Because the Subject Vehicle was used or was intended to be used to facilitate the
22 transportation, sale, receipt, possession, or concealment of a controlled substance, listed
23 chemical, or proceeds from the sale of a controlled substance in violation of Tulalip Law, it is
24 subject to forfeiture pursuant to Tulalip Tribal Code 2.60.020§(5).
25
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

III. CLAIMANTS

Miguel Torres-Fuentes, driver, from whom the subject property was seized, the registered owner of the vehicle, Megan McCarren, and the legal owner of the vehicle, Capital One Auto Finance, are the only people who the Tribes knows or has reason to believe has or may assert a claim to the subject property. Miguel Torres-Fuentes is believed to reside at 9423 3rd Avenue SE, Everett, Washington 98207 (Police Report). Megan McCarren is believed to reside at 5116 N. 43rd Street, Tacoma, Washington 98407 (Police Report). Capital One Auto Finance is believed to have a mailing address of P.O. Box 660068, Sacramento, California 95866 (Police Report).

IV. CONCLUSION

Based upon the foregoing, the Tribes requests the Clerk of the Court issue a Summons to have Miguel Torres-Fuentes, Megan McCarren, and Capital One Auto Finance answer the allegations of this Petition, and, ultimately, for the Court to order that the Subject Property be forfeited for the benefit of the Tulalip Tribes.

DATED this 11th day of September, 2019.

TULALIP TRIBES
Office of the Reservation Attorney



MICHELLE SHELDON, WSBA No. 53572
ORA Reservation Attorney