

# Immigration and Naturalization Service

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An agency of the  
U.S. Department of Justice

## NOTICE OF OPPORTUNITY FOR RECONSIDERATION OF ADMINISTRATIVE FORFEITURE OF CONVEYANCES BY IMMIGRATION AND NATURALIZATION SERVICE (INS)

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WASHINGTON  
Gete et al. v. Immigration and Naturalization Service, Civil Action No.  
C94-881Z

To all persons (1) who own or owned vehicles that were seized within the INS's Western Region from June 10, 1989, through September 17, 1999, for a violation of the immigration laws, 8 U.S.C. 1324(a)-(b); (2) whose vehicles were subjected to administrative forfeiture proceedings by the INS; and (3) who requested a personal interview and/or filed a petition for mitigation or remission of forfeiture that was not granted in full:

(The INS Western Region includes (1) the INS Districts of Seattle, Washington; San Francisco, California; Los Angeles, California; San Diego, California; Honolulu, Hawaii; Phoenix, Arizona; Portland, Oregon; and Anchorage, Alaska; and (2) the Border Patrol Sectors of Spokane, Washington; Blaine, Washington; Livermore, California; San Diego, California; El Centro, California; Yuma, Arizona; and Tucson, Arizona):

You are hereby notified that, pursuant to a settlement of a class action in the above-entitled case, you may request reconsideration of the administrative forfeiture decision issued in your proceeding.

The reconsideration of your case will be conducted according to new guidelines and procedures adopted pursuant to the settlement, which require the INS to disclose adverse evidence to the owner of a seized vehicle, to train officers on how to assess probable cause and to set penalties, and to consider certain mitigating and aggravating factors in adjudicating requests for relief from forfeiture.

To begin the reconsideration process, you must mail a letter expressing your intent to seek reconsideration to:

GETE v. INS  
Reconsideration Program  
P.O. Box 29  
El Centro, CA 92244-0029

Your letter must be postmarked no later than October 13, 2001. **Any letter mailed after the deadline or addressed to another location will not be considered.**

Pursuant to the terms of the settlement, the INS will reconsider your case only if the original forfeiture file still exists or if you are able to establish the relevant facts and circumstances to support your request to the satisfaction of the INS. Therefore, your letter must include the following information:

1. Your name, address, and telephone number;
2. Your forfeiture case number, if available;
3. Date and location of the original seizure;
4. Year, make, and model of the seized conveyance; and
5. Any other information you believe will assist the INS in locating your forfeiture file.

If the INS determines that the original file no longer exists or is unable to

locate the file, you will receive notice of that determination and will be given the opportunity to provide additional information.

Once the file has been located or recreated to the satisfaction of the INS, a copy of the adverse evidence in the file will be sent to you, together with a copy of the mitigation guidance the INS will use in the reconsideration process. At that time, you will receive instructions on how to submit your request for reconsideration. At the conclusion of the reconsideration process, if the INS determines that a lesser penalty is appropriate, then the difference will be refunded to you. Any reconsideration decision by the INS is final and not subject to appeal. The reconsideration process is governed by the settlement of this lawsuit and not by any of the provisions of the Civil Asset Forfeiture Reform Act of 2000. As such, you will not be entitled to attorney's fees even if you prevail in your reconsideration request

*Last Modified 08/06/2001*