

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ALVETT FOBBS, et al.,

Plaintiffs,

v.

NEW HAVEN UNIFIED SCHOOL
DISTRICT, et al.,

Defendants.

Case No. 10-cv-1065-PJH

**ORDER GRANTING PETITION FOR
WITHDRAWAL OF FUNDS FROM
BLOCKED ACCOUNT**

On February 12, 2016, petitioner Jureko Johnson filed a “petition for withdrawal of funds from blocked account.” See Dkt. 100. The petition cites to the court’s June 28, 2011 order approving compromise of minor’s claim, which provided that then-minor “Jonathan J.” (a fictitious name) was entitled to withdraw \$7,500 from a blocked trust account during a ten-day window starting on his 20th birthday in 2015. Id. at 2. In the petition, Johnson claims that he was incarcerated during that time, making him unable to withdraw the funds, and he requests an order approving a late withdrawal.

On February 17, 2016, the court issued an order explaining that the petition, as filed, did “not provide enough information for the court to approve the request.” See Dkt. 101. Specifically, the court noted that (1) the petition did not clearly state that petitioner Jureko Johnson was the “Jonathan J.” named in the court’s June 2011 order approving compromise of minor’s claim, (2) the petition was unaccompanied by any declaration from Jonathan J.’s guardian ad litem, Tereese Sanders, who requested the withdrawal schedule, and whose consent is therefore needed to modify it, and (3) the petition did not explain when petitioner Johnson was released from custody. Id. The court directed

petitioner Johnson to submit a signed declaration attesting that he is indeed the "Jonathan J." referenced in the court's June 2011 order, to provide a timeline of his incarceration and release, and to submit a signed declaration from Tereese Sanders joining in the request.

On March 14, 2016, petitioner Johnson filed a signed declaration specifically stating that "I, Jureko Johnson, am the 'Jonathan J.' referenced in the court's June 28, 2011 order," and further explaining that he was released from custody on April 11, 2015. See Dkt. 102. Also on March 14, 2016, Tereese Sanders filed a declaration stating that "I hereby give my consent for him to withdraw the funds of \$7,500 that he was unable to withdraw on March 14, 2015." See Dkt. 103.

The deficiencies in the petition having been addressed, the court hereby GRANTS the petition for withdrawal of funds. Petitioner Johnson shall have until **March 31, 2016** to withdraw \$7,500 from the Minor's Compromise Trust Account referenced in this court's June 28, 2011 order. See Dkt. 96. All other terms set forth in the June 28, 2011 order shall remain in place, including the provision that the account's remaining balance cannot be withdrawn until petitioner's 23rd birthday in 2018.

IT IS SO ORDERED.

Dated: March 17, 2016



PHYLLIS J. HAMILTON
United States District Judge