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8 IN THE UNITED STATES DISTRICT COURT FOR THE
 9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 APPROXIMATELY \$7,900.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

) 1:09-CV-00216-AWI-GSA

)
)
) **STIPULATION AND ORDER EXTENDING**
) **THE UNITED STATES' TIME TO FILE A**
) **COMPLAINT FOR FORFEITURE AND/OR**
) **TO OBTAIN AN INDICTMENT ALLEGING**
) **FORFEITURE**

17 It is hereby stipulated by and between the United States of America and Claimants Jose Elias
 18 Eljaik and Lani K. Greene (hereafter "Claimants"), by and through their respective attorney, as
 19 follows:

20 1. On or about November 6, 2008, Claimants filed a claim, in the administrative
 21 forfeiture proceeding, with the Drug Enforcement Administration with respect to the approximately
 22 \$7,900.00 in U.S. Currency (hereafter "currency"), which was seized on or about September 18,
 23 2008.

24 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit
 25 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any
 26 person to file a claim to the currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than
 27 the Claimants has filed a claim to the currency as required by law in the administrative forfeiture
 28 proceeding.

1 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
2 forfeiture against the currency and/or to obtain an indictment alleging that the currency is subject to
3 forfeiture within 90 days after a claim has been filed in the administrative forfeiture proceedings,
4 unless the court extends the deadline for good cause shown or by agreement of the parties.

5 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to
6 April 6, 2009, the time in which the United States is required to file a civil complaint for forfeiture
7 against the currency and/or to obtain an indictment alleging that the currency is subject to forfeiture.

8 5. Accordingly, the parties agree that the deadline by which the United States shall be
9 required to file a complaint for forfeiture against the currency and/or to obtain an indictment alleging
10 that the currency is subject to forfeiture shall be extended to April 6, 2009.

11 Dated: February 2, 2009

LAWRENCE G. BROWN
Acting United States Attorney

12
13 /s/ Deanna L. Martinez
14 DEANNA L. MARTINEZ
Assistant United States Attorney

15
16 Dated: February 2, 2009

17 /s/ Stephan A. DeSales
STEPHAN A. DeSALES
Attorney for Claimants Jose Elias Eljaik
18 and Lani K. Greene
(Original signature retained by attorney)

19
20
21 **ORDER**

22 IT IS SO ORDERED.

23 Dated: February 5, 2009

24 /s/ Anthony W. Ishii
CHIEF UNITED STATES DISTRICT JUDGE