

BENJAMIN B. WAGNER
United States Attorney
DAVID T. SHELEDY
Assistant U.S. Attorney
501 I Street, Suite 10-100
Sacramento, California 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for the United States

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

UNITED STATES OF AMERICA,)	1:11-MC-15 LJO
Plaintiff,)	
v.)	APPLICATION AND PROPOSED
)	ORDER TO EXTEND TIME FOR
)	FORFEITURE BY AGREEMENT OF
)	THE PARTIES
APPROXIMATELY \$39,600.00)	
IN U.S. CURRENCY,)	
Defendant.)	

The United States hereby requests an order extending the time in which it may file a civil complaint for forfeiture and/or allege grounds for forfeiture in an indictment, from the current deadline of June 16, 2011, to and including July 5, 2011. This request is made pursuant to 18 U.S.C. 983(a)(3)(A), based on agreement of the parties, as follows:

1. Title 18 U.S.C. § 983(a)(3)(A) requires the United States to file a complaint for forfeiture and/or to obtain an indictment alleging grounds for forfeiture within 90 days after a claim has been filed in administrative forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of the parties. The United States has secured agreement from the only person likely to become a party.

1 2. The seized currency was the subject of an administrative forfeiture
2 proceeding initiated by the Drug Enforcement Administration (“DEA”). DEA sent
3 written notice of intent to forfeit to all known interested parties. The time allowed
4 for claims under 18 U.S.C. § 983(a)(2)(A)-(E) has expired. Stephan Nicole Leon
5 (“Leon”) is the only person who filed a claim in the administrative forfeiture
6 proceeding.

7 3. On June 13, 2011, Leon consented in writing, through Sara Azari,
8 Esq., his counsel of record in the administrative forfeiture proceeding, to extend the
9 filing deadline for judicial forfeiture to and including July 5, 2011. This request is
10 made by ex parte application, rather than by stipulation, because of communication
11 difficulties resulting from Ms. Azari being out of the country.

12 4. Accordingly, the United States requests that the deadline for a
13 forfeiture complaint or indictment alleging that the seized currency is subject to
14 forfeiture be extended to July 5, 2011, by agreement of the parties.

15 Respectfully submitted,

16 Dated: June 16, 2011

BENJAMIN B. WAGNER
United States Attorney

18 /s/ David T. Shelledy
19 _____
DAVID T. SHELLDY
Assistant United States Attorney

20
21 **ORDER**

22 IT IS SO ORDERED.

23 Dated: June 20, 2011

24 _____
/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE