Case 1:13-cv-01225-AWI-SKO Document 10 Filed 01/27/14 Page 1 of 2

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IN THE UNITED STATES DISTRICT COURT 8

EASTERN DISTRICT OF CALIFORNIA

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11 UNITED STATES OF AMERICA.

) 1:13-CV-01225-AWI-SKO

CIVIL PROCEEDINGS

STIPULATION REGARDING STAY OF

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v.

APPROXIMATELY \$93,500.00 IN U.S. xi 6 1 1 2 3,500.00 in U.S. Currency

Defendant.

Plaintiff,

USA v. Adoro 16

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IT IS HEREBY STIPULATED between the United States of America and Potential Claimant Edy Salazar, by and through their respective counsel, that an extension of the stay is necessary in the above-entitled action and request the Court enter an order extending the stay for thirty-days, to March 3, 2014.

- 1. On or about May 8, 2013, Potential Claimant filed an administrative claim, in the administrative forfeiture proceeding, with the Department of Homeland Security-Criminal Investigations with respect to the approximately \$93,500.00 in U.S. Currency (hereafter "defendant currency"), which was seized on or about March 3, 2013.
- 2. The Department of Homeland Security-Criminal Investigations, sent written notice of intent to forfeit, as required by 18 U.S.C. § 983(a)(1), to all known interested

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Stipulation To Extend Stay of Civil Proceedings

Doc. 11

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parties. The time has expired for any person to file an administrative claim to the currency under 18 U.S.C. § 983(a)(2), and no person other than the Potential Claimant has filed an administrative claim to the currency in the administrative forfeiture proceeding.

- 3. On August 6, 2013, the United States filed a civil judicial "Verified Complaint for Forfeiture In Rem," in the Eastern District of California: *United States v. Approximately* \$93,500.00 in U.S. Currency, Docket No. 1:13-CV-01225-AWI-SKO, ECF No. 1.
- 4. As provided by 18 U.S.C. § 981(g)(2), the Potential Claimant requested a stay of the civil forfeiture proceedings, and on August 27, 2013, the Court issued an order staying the instant action and set a status conference for February 3, 2013. The parties were to file a Joint Status Report one week prior to the status conference. Doc. # 7.
- 5. The parties wish by agreement to extend the stay for thirty-days, as the parties are currently in settlement discussions.
- 6. Accordingly, the parties request that the stay be extended to March 3, 2014. The parties will file a joint status report one week prior, informing the court whether the continuation of the stay is still necessary.

Dated: January 28, 2014

BENJAMIN B. WAGNER United States Attorney

<u>/s/ Heather Mardel Jones</u> HEATHER MARDEL JONES Assistant United States Attorney

Dated: January 28, 2014

<u>/s/ Matthew J. Lombard</u> MATTHEW J. LOMBARD Attorney for Potential Claimant Edy Salazar

IT IS SO ORDERED.

Dated: 1-28-14

ANTHONY W. ISHII SENIOR UNITED STATES DISTRICT JUDGE

> Stipulation To Extend Stay of Civil Proceedings