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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 APPROXIMATELY \$19,700.00 IN U.S.
CURRENCY,
15 Defendant.
16

1:15-MC-00040-AWI

**STIPULATION AND ORDER
EXTENDING TIME FOR
FILING A COMPLAINT FOR
FORFEITURE AND/OR TO
OBTAIN AN INDICTMENT
ALLEGING FORFEITURE**

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18 It is hereby stipulated by and between the United States of America and claimant Brad
William Moreno (“Claimant”), by and through their respective counsel, as follows:

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20 1. On or about April 13, 2015, Claimant filed a claim in the administrative forfeiture
21 proceedings with the Drug Enforcement Administration with respect to the approximately
22 \$19,700.00 in U.S. Currency (hereafter “Defendant Currency”), which was seized on or about
23 January 22, 2015.

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25 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit
26 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any
27 person to file a claim to the Defendant Currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person
28 other than Claimant has filed a claim to the Defendant Currency as required by law in the
administrative forfeiture 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 Defendant Currency and/or to obtain an indictment alleging that the Defendant
3 Currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
4 forfeiture proceedings, unless the Court extends the deadline for good cause shown or by agreement
5 of the parties. That deadline is July 12, 2015.

6 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an
7 extension to October 9, 2015, the time in which the United States is required to file a civil complaint
8 for forfeiture against the Defendant Currency and/or to obtain an indictment alleging that the
9 Defendant Currency is subject to forfeiture.

10 6. Accordingly, the parties agree that the deadline by which the United States shall be
11 required to file a complaint for forfeiture against the Defendant Currency and/or to obtain an
12 indictment alleging that the Defendant Currency is subject to forfeiture shall be extended to October
13 9, 2015.

14 Dated: 7/9/15

BENJAMIN B. WAGNER
United States Attorney

16 By: /s/ Jeffrey A. Spivak
17 JEFFREY A. SPIVAK
Assistant U.S. Attorney

19 Dated: 7/9/15

20 /s/ Dixie Dan Powell
DIXIE DAN POWELL
Attorney for Claimant
Brad William Moreno

22 IT IS SO ORDERED.

23 Dated: July 10, 2015

24 
SENIOR DISTRICT JUDGE