

1 PHILLIP A. TALBERT
United States Attorney
2 KEVIN C. KHASIGIAN
Assistant U.S. Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700

5 Attorneys for the United States

6
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 \$76,261.00 IN
U.S. CURRENCY,

15 Defendant.

1:22-MC-00078-JLT

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

16
17 It is hereby stipulated by and between the United States of America and potential claimant Jose
18 Cruz (“claimant”), by and through their respective counsel, as follows:

19 1. On or about March 7, 2022, claimant Jose Cruz filed a claim in the administrative
20 forfeiture proceedings with the Drug Enforcement Administration with respect to the Approximately
21 \$76,261.00 in U.S. Currency (hereafter “defendant currency”), which was seized on December 14, 2021.

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

27 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
28 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant

1 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
2 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of the
3 parties. That deadline was June 5, 2022.

4 4. By Stipulation and Order filed June 1, 2022, the parties stipulated to extend to August 3,
5 2022, the time in which the United States is required to file a civil complaint for forfeiture against the
6 defendant property and/or to obtain an indictment alleging that the defendant property is subject to
7 forfeiture.

8 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
9 to October 2, 2022, the time in which the United States is required to file a civil complaint for forfeiture
10 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
11 subject to forfeiture.

12 6. Accordingly, the parties agree that the deadline by which the United States shall be
13 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
14 alleging that the defendant currency is subject to forfeiture shall be extended to October 2, 2022.

15 Dated: 8/2/22

PHILLIP A. TALBERT
United States Attorney

17 /s/ Kevin C. Khasigian
18 KEVIN C. KHASIGIAN
Assistant U.S. Attorney

19
20 Dated: 8/2/22

/s/ James Roberts
21 JAMES ROBERTS
Attorney for potential claimant
22 Jose Cruz
(As approved by email on 8/2/22)

23 IT IS SO ORDERED.

24
25 Dated: August 2, 2022


26 JENNIFER L. THURSTON
27 UNITED STATES DISTRICT JUDGE
28