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

10
11 UNITED STATES OF AMERICA,

2:06-MC-00116-JAM-KJM

12 Plaintiff,

13 v.

14 APPROXIMATELY \$2,663.00 IN U.S.
CURRENCY, and

15 APPROXIMATELY \$791.00 IN U.S.
CURRENCY,

16
17 Defendants.

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

18 It is hereby stipulated by and between the United States of
19 America and claimants Francisco Emilio Vega and Maria Isabel Chavez
20 ("Claimants"), by and through their respective attorneys, as
21 follows:

22 1. On or about August 15, 2006, Claimant Maria Isabel Chavez
23 filed a claim in administrative forfeiture proceedings with the
24 Drug Enforcement Administration ("DEA") with respect to the
25 approximately \$2,663.00 in U.S. Currency and approximately \$791.00
26 in U.S. Currency, (the "defendant currency"), seized on or about
27 May 30, 2006. On or about August 18, 2006, Claimant Francisco
28 Emilio Vega filed a claim with DEA to the defendant

1 currency.

2 2. The DEA has sent the written notice of intent to forfeit
3 required by 18 U.S.C. § 983(a)(1)(A) to all known interested
4 parties. The time has expired for any person to file a claim to
5 the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no
6 person, other than the Claimants, has filed a claim to the
7 defendant currency as required by law in the administrative
8 forfeiture proceeding.

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

16 4. By Stipulation and Order filed November 16, 2006, the
17 parties stipulated to extend to February 9, 2007, the time in which
18 the United States is required to file a civil complaint for
19 forfeiture against the currency and/or to obtain an indictment
20 alleging that the currency is subject to forfeiture.

21 5. By Stipulation and Order filed February 9, 2007, the
22 parties stipulated to extend to May 10, 2007, the time in which the
23 United States is required to file a civil complaint for forfeiture
24 against the currency and/or to obtain an indictment alleging that
25 the currency is subject to forfeiture.

26 6. By Stipulation and Order filed May 15, 2007, the parties
27 stipulated to extend to August 8, 2007, the time in which the

1 United States is required to file a civil complaint for forfeiture
2 against the currency and/or to obtain an indictment alleging that
3 the currency is subject to forfeiture.

4 7. By Stipulation and Order filed August 3, 2007, the parties
5 stipulated to extend to November 6, 2007, the time in which the
6 United States is required to file a civil complaint for forfeiture
7 against the currency and/or to obtain an indictment alleging that
8 the currency is subject to forfeiture.

9 8. By Stipulation and Order filed November 2, 2007, the
10 parties stipulated to extend to February 4, 2008, the time in which
11 the United States is required to file a civil complaint for
12 forfeiture against the currency and/or to obtain an indictment
13 alleging that the currency is subject to forfeiture.

14 9. By Stipulation and Order filed January 31, 2008, the
15 parties stipulated to extend to May 5, 2008, the time in which the
16 United States is required to file a civil complaint for forfeiture
17 against the currency and/or to obtain an indictment alleging that
18 the currency is subject to forfeiture.

19 10. By Stipulation and Order filed May 6, 2008, the parties
20 stipulated to extend to August 4, 2008, the time in which the
21 United States is required to file a civil complaint for forfeiture
22 against the currency and/or to obtain an indictment alleging that
23 the currency is subject to forfeiture.

24 11. By Stipulation and Order filed July 23, 2008, the parties
25 stipulated to extend to October 31, 2008, the time in which the
26 United States is required to file a civil complaint for forfeiture
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1 against the currency and/or to obtain an indictment alleging that
2 the currency is subject to forfeiture.

3 12. By Stipulation and Order filed October 22, 2008, the
4 parties stipulated to extend to January 29, 2009, the time in which
5 the United States is required to file a civil complaint for
6 forfeiture against the currency and/or to obtain an indictment
7 alleging that the currency is subject to forfeiture.

8 13. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
9 by agreement to further extend to April 29, 2009, the time in which
10 the United States is required to file a civil complaint for
11 forfeiture against the defendant currency and/or to obtain an
12 indictment alleging that the defendant currency is subject to
13 forfeiture.

14 14. Accordingly, the parties agree that the deadline by which
15 the United States shall be required to file a complaint for
16 forfeiture against the defendant currency and/or to obtain an

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1 indictment alleging that the defendant currency is subject to
2 forfeiture shall be extended to April 29, 2009.

3 DATED: 1/20/09 LAWRENCE G. BROWN
4 Acting United States Attorney

5 /s/ Jason Hitt
6 JASON HITT
7 Assistant U.S. Attorney

8 DATED: January 20, 2009 /s/ James R. Greiner
9 JAMES R. GREINER
10 Attorney for Claimant Maria Isabel
11 Chavez

12 DATED: 1/20/09 /s/ Chris Haydn-Myer
13 RUSSELL MILLER
14 CHRIS HAYDN-MYER
15 Attorneys for Claimant Francisco
16 Emilio Vega

17 (Original signatures retained by
18 attorney)

19 **IT IS SO ORDERED.**

20 DATED: January 21, 2009 /s/ John A. Mendez
21 JOHN A. MENDEZ
22 United States District Judge
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