

1 BENJAMIN B. WAGNER
 United States Attorney
 2 JASON HITT
 Assistant United States Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916)554-2700

5

6

7

8

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

9

10

11

UNITED STATES OF AMERICA,

2:06-MC-00116-JAM-KJM

12

Plaintiff,

13

v.

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

14

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

15

16

APPROXIMATELY \$791.00 IN U.S.
 CURRENCY,

17

Defendants.

18

19

20

It is hereby stipulated by and between the United States of
 America and claimant Maria Isabel Chavez ("Claimant"), by and
 through their respective attorneys, as follows:

21

22

23

24

25

26

27

28

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

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

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

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

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

25 6. By Stipulation and Order filed May 15, 2007, the parties
26 stipulated to extend to August 8, 2007, the time in which the
27 United States is required to file a civil complaint for forfeiture
28

1 against the currency and/or to obtain an indictment alleging that
2 the currency is subject to forfeiture.

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

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

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

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

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

28

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

6 13. By Stipulation and Order filed January 22, 2009, the
7 parties stipulated to extend to April 29, 2009, the time in which
8 the United States is required to file a civil complaint for
9 forfeiture against the currency and/or to obtain an indictment
10 alleging that the currency is subject to forfeiture.

11 14. By Stipulation and Order filed April 27, 2009, the
12 parties stipulated to extend to July 28, 2009, the time in which
13 the United States is required to file a civil complaint for
14 forfeiture against the currency and/or to obtain an indictment
15 alleging that the currency is subject to forfeiture.

16 15. By Stipulation and Order filed July 24, 2009, the parties
17 stipulated to extend to October 26, 2009, the time in which the
18 United States is required to file a civil complaint for forfeiture
19 against the currency and/or to obtain an indictment alleging that
20 the currency is subject to forfeiture.

21 16. By Stipulation and Order filed October 27, 2009, the
22 parties stipulated to extend to January 25, 2010, the time in which
23 the United States is required to file a civil complaint for
24 forfeiture against the currency and/or to obtain an indictment
25 alleging that the currency is subject to forfeiture.

26 17. On or about November 20, 2009, the United States and
27 Francisco Vega entered into a plea agreement in the parallel
28 criminal case U.S. v. Francisco Vega, et al., 2:06-CR-00236-GEB,

1 wherein Francisco Vega agreed to forfeit his right, title, and
2 interest in this currency.

3 18. By Stipulation and Order filed January 26, 2010, the
4 parties stipulated to extend to April 26, 2010, 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 19. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
9 by agreement to further extend to July 26, 2010, 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 20. 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

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 indictment alleging that the defendant currency is subject to
2 forfeiture shall be extended to July 26, 2010.

3 DATED: 04/13/2010 _

BENJAMIN B. WAGNER
United States Attorney

4

5

/s/ Jason Hitt
JASON HITT
Assistant U.S. Attorney

6

7

8 DATED: April 13, 2010

/s/ James R. Greiner
JAMES R. GREINER
Attorney for Claimant Maria Isabel
Chavez

10

11

(Original signature retained by
attorney)

12

13

14 **IT IS SO ORDERED.**

15 DATED: April 15, 2010

/s/ John A. Mendez
JOHN A. MENDEZ
United States District Judge

16

17

18

19

20

21

22

23

24

25

26

27

28