

1 McGREGOR W. SCOTT
 United States Attorney
 2 ANNE PINGS
 Assistant U.S. Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2785

5
 6
 7

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

10
 11
 12
 13
 14
 15
 16
 17

UNITED STATES OF AMERICA,)	2:07-CV-00468-GEB-EFB
)	
Plaintiff,)	
)	
v.)	
)	STIPULATION AND ORDER EXTENDING
2003 HARLEY DAVIDSON)	TIME FOR FILING A COMPLAINT FOR
MOTORCYCLE, VIN:)	FORFEITURE AND/OR TO OBTAIN AN
1HD1DJV503Y615641,)	INDICTMENT ALLEGING FORFEITURE
)	
Defendant.)	
)	
)	

18 It is hereby stipulated by and between the United States of
 19 America and claimant Daryl Summerfield ("claimant"), by and
 20 through their respective attorneys, as follows:

21 1. On or about December 18, 2006, claimant filed a claim, in
 22 the administrative forfeiture proceedings, with the Internal
 23 Revenue Service with respect to the 2003 HARLEY DAVIDSON
 24 MOTORCYCLE, VIN: 1HD1DJV503Y615641 (the "motorcycle"), which was
 25 seized on or about October 5, 2006.

26 2. The Internal Revenue Service has sent the written notice
 27 of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all
 28 known interested parties. The time has expired for any person to

1 file a claim to the motorcycle under 18 U.S.C. § 983(a)(2)(A)-(E),
2 and no person other than the claimant has filed a claim to the
3 motorcycle as required by law in the administrative forfeiture
4 proceeding.

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

12 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
13 by agreement to extend to May 31, 2007, the time in which the
14 United States is required to file a civil complaint for forfeiture
15 against the motorcycle and/or to obtain an indictment alleging
16 that the motorcycle is subject to forfeiture.

17 5. Accordingly, the parties agree that the deadline by which
18 the United States shall be required to file a complaint for
19 forfeiture against the motorcycle and/or to obtain an indictment

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 //

28 /

1 alleging that the motorcycle is subject to forfeiture shall be
2 extended to May 31, 2007.

3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

McGREGOR W. SCOTT
United States Attorney

/s/ Anne Pings

DATE: 3/7/07

ANNE E. PINGS
Assistant U.S. Attorney

/s/ Colin Cooper
Original signature on file with AUSA

DATE: 3/7/07

COLIN L. COOPER
Attorney for Claimant Summerfield

IT IS SO ORDERED.

Dated: March 12, 2007


GARLAND E. BURRELL, JR.
United States District Judge