United States of America v. 2007 Yamaha Rhino ATV et al Doc. 20

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JESS VERNON BRASIER

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. 2007 YAMAHA RHINO ATV, VIN: 5Y4AM04Y27A033940 CALIFORNIA LICENSE NUMBER: 78E45A, 2004 MITSUBISHI KOYKER TRACTOR, SERIAL NUMBER: 110337, 2004 TERRY TRAILERS FLATBED TRAILER, VIN:1T9CS18274W709850, CALIFORNIA LICENSE NUMBER: 4GG7716, 2008 SPCNS TRAILER PTI, VIN: CA1056326, CALIFORNIA LICENSE NUMBER: 4JJ2908, and 2008 YAMAHA 700R RAPTOR ATV, VIN: JY4AMO7Y56C025552, Defendants. _____	2:09-CV-00684 LKK-GGH **STIPULATION AND ORDER EXTENDING TIME FOR CLAIM AND ANSWER TO BE FILED BY JESS VERNON BRASIER** Judge: Hon. Lawrence K. Karlton

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IT IS HEREBY STIPULATED AND AGREED between plaintiff, United States of America, and claimant, Jess Vernon Brasier, as follows:

1. On March 12, 2009, plaintiff filed the above-captioned complaint for forfeiture in rem against assets owned in part by Jess Vernon Brasier.

2. On April 30, 2009, the Court appointed the Office of the Federal Defender to represent Jess Vernon Brasier (currently represented by the Federal Defender in Cases 2:08-cr-0453 LKK and 2:08-cr-0518) in the above case and extended to June 24, 2009, the time for Mr. Brasier to file his claim and answer.

3. The parties agree that Mr. Brasier may be afforded additional time to July 17, 2009, to file his claim and answer. The previously-set deadline coincided with jury deliberations in a lengthy and complex jury trial defended by Mr. Brasier's appointed attorney, who missed the appointed deadline. The United State has agreed to afford Mr. Brasier additional time to file his claim and answer so that he is not penalized for his attorney's oversight.

4. In light of the above, the United States also withdraws its request for Clerk's Entry of Default filed July 9, 2009.

Respectfully submitted,

DANIEL J. BRODERICK
Federal Defender

Dated: July 9, 2009

/s/ T. Zindel
TIMOTHY ZINDEL
Assistant Federal Defender
Attorney for Jess Vernon Brasier

LAWRENCE G. BROWN
Acting United States Attorney

Dated: July 9, 2009

/s/ Kristin S. Door
KRISTIN S. DOOR
Assistant U.S. Attorney

O R D E R

The time for filing the verified claim and answer is extended by agreement of the parties to July 17, 2009, and the withdrawal of the Request for Entry of Default filed July 9, 2009, is hereby noted.

IT IS SO ORDERED.

Dated: July 10, 2009

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

For Judge Lawrence K. Karlton