

1 BENJAMIN B. WAGNER
 United States Attorney
 2 JEAN M. HOBLER
 Special Assistant U.S. 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
 9 EASTERN DISTRICT OF CALIFORNIA

10
 11
 12
 13
 14
 15
 16
 17

UNITED STATES OF AMERICA,)	2:10-MC-00046-MCE-DAD
)	
Plaintiff,)	
)	
v.)	
)	STIPULATION AND ORDER EXTENDING
APPROXIMATELY \$5,173.45 IN U.S.)	TIME FOR FILING A COMPLAINT FOR
CURRENCY SEIZED FROM WELLS FARGO)	FORFEITURE AND/OR TO OBTAIN AN
BANK ACCOUNT NUMBER 3444347300,)	INDICTMENT ALLEGING FORFEITURE
)	
Defendant.)	
)	
)	

18 It is hereby stipulated by and between the United States of
 19 America and claimants Joseph Stancil and Doralee Stancil
 20 ("claimants"), by and through their respective attorneys, as
 21 follows:

22 1. On or about February 2, 2010, claimants filed a claim, in
 23 the administrative forfeiture proceedings, with the Internal
 24 Revenue Service with respect to the Approximately \$5,173.45 in
 25 U.S. Currency seized from Wells Fargo Bank Account Number
 26 3444347300 (the "defendant funds"), which were seized on or about
 27 November 19, 2009.

28 ///

1 2. The Internal Revenue Service has sent the written notice
2 of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all
3 known interested parties. The time has expired for any person to
4 file a claim to the defendant funds under 18 U.S.C. §
5 983(a)(2)(A)-(E), and no person other than the claimants have
6 filed a claim to the defendant funds as required by law in the
7 administrative 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 funds and/or to obtain an indictment alleging that the defendant
11 funds are subject to forfeiture within 90 days after a claim has
12 been filed in the administrative forfeiture proceedings, unless
13 the court extends the deadline for good cause shown or by
14 agreement of the parties. That deadline was May 3, 2010.

15 4. By Stipulation and Order filed May 4, 2010, the parties
16 stipulated to extend to August 2, 2010, the time in which the
17 United States is required to file a civil complaint for forfeiture
18 against the defendant funds and/or to obtain an indictment
19 alleging that the defendant funds are subject to forfeiture.

20 5. By Stipulation and Order filed July 28, 2010, the parties
21 stipulated to extend to November 2, 2010, the time in which the
22 United States is required to file a civil complaint for forfeiture
23 against the defendant funds and/or to obtain an indictment
24 alleging that the defendant funds are subject to forfeiture.

25 ///

26 ///

27 ///

28 ///

1 6. By Stipulation and Order filed October 15, 2010, the
2 parties stipulated to extend to January 3, 2011, the time in which
3 the United States is required to file a civil complaint for
4 forfeiture against the defendant funds and/or to obtain an
5 indictment alleging that the defendant funds are subject to
6 forfeiture.

7 7. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
8 by agreement to further extend to April 5, 2011, the time in which
9 the United States is required to file a civil complaint for
10 forfeiture against the defendant funds and/or to obtain an
11 indictment alleging that the defendant funds are subject to
12 forfeiture.

13 8. Accordingly, the parties agree that the deadline by which
14 the United States shall be required to file a complaint for
15 forfeiture against the defendant funds and/or to obtain an
16 indictment alleging that the defendant funds are subject to
17 forfeiture shall be extended to April 5, 2011.

18

19

BENJAMIN B. WAGNER
United States Attorney

20

21

22

DATE: 12/2/2010

/s/ Jean M. Hobler
JEAN M. HOBLER
Special Assistant U.S. Attorney

23

24

25

///

26

///

27

///

28

///


1
2
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

DATE: 12/2/2010

/s/ Donald H. Heller
DONALD H. HELLER
Attorney for Claimants
Joseph and Doralee Stancil
As Authorized on 12/2/2010

IT IS SO ORDERED.

Dated: December 7, 2010


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE