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

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11 UNITED STATES OF AMERICA,) 2:10-MC-00054-MCE-DAD
)
 12 Plaintiff,)
)
 13 v.)

14 APPROXIMATELY \$7,136.49 IN U.S.) STIPULATION AND ORDER EXTENDING
) TIME FOR FILING A COMPLAINT FOR
 15 CURRENCY SEIZED FROM JP MORGAN) FORFEITURE AND/OR TO OBTAIN AN
) INDICTMENT ALLEGING FORFEITURE
 CHASE BANK ACCOUNT NUMBER)
 3790678038, HELD IN THE NAME)
 16 MYCHAL S. LAHEY,)
)

17 APPROXIMATELY \$27,460.00 IN U.S.)
)
 18 CURRENCY SEIZED FROM BANK OF)
)
 AMERICA ACCOUNT NUMBER)
 753567539, HELD IN THE NAME)
 19 MYCHAL S. LAHEY, AND)
)

20 APPROXIMATELY \$13,270.16 IN U.S.)
)
 21 CURRENCY SEIZED FROM TRI)
)
 COUNTIES BANK ACCOUNT NUMBER)
 66497707, HELD IN THE NAME)
 22 MYCHAL S. LAHEY,)
)

23 Defendants.)
)
 24 _____)

25

26 It is hereby stipulated by and between the United States of
 27 America and claimant Mychal Lahey ("claimant"), by and through his
 28 respective attorney, as follows:

1 1. On or about February 19, 2010, claimant filed a claim, in
2 the administrative forfeiture proceedings, with the Internal
3 Revenue Service with respect to the Approximately \$7,136.49 in U.S.
4 Currency seized from JP Morgan Chase Bank Account Number
5 3790678038, held in the name Mychal S. Lahey, Approximately
6 \$27,460.00 in U.S. Currency seized from Bank of America Account
7 Number 753567539, held in the name Mychal S. Lahey, and
8 Approximately \$13,270.16 in U.S. Currency seized from Tri Counties
9 Bank Account Number 66497707, held in the name Mychal S. Lahey,
10 (the "defendant funds"), which were seized on or about January 8,
11 2010.

12 2. The Internal Revenue Service has sent the written notice
13 of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all
14 known interested parties. The time has expired for any person to
15 file a claim to the defendant funds under 18 U.S.C. § 983(a)(2)(A)-
16 (E), and no person other than the claimant has filed a claim to the
17 defendant funds as required by law in the administrative forfeiture
18 proceeding.

19 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is
20 required to file a complaint for forfeiture against the defendant
21 funds and/or to obtain an indictment alleging that the defendant
22 funds are subject to forfeiture within 90 days after a claim has
23 been filed in the administrative forfeiture proceedings, unless the
24 court extends the deadline for good cause shown or by agreement of
25 the parties. That deadline was May 20, 2010.

26 4. By Stipulation and Order filed May 18, 2010, the parties
27 stipulated to extend to June 18, 2010, the time in which the United
28 States is required to file a civil complaint for forfeiture against

1 the defendant funds and/or to obtain an indictment alleging that
2 the defendant funds are subject to forfeiture.

3 5. By Stipulation and Order filed June 23, 2010, the parties
4 stipulated to extend to July 19, 2010, the time in which the United
5 States is required to file a civil complaint for forfeiture against
6 the defendant funds and/or to obtain an indictment alleging that
7 the defendant funds are subject to forfeiture.

8 6. By Stipulation and Order filed July 19, 2010, the parties
9 stipulated to extend to August 10, 2010, the time in which the
10 United States is required to file a civil complaint for forfeiture
11 against the defendant funds and/or to obtain an indictment alleging
12 that the defendant funds are subject to forfeiture.

13 7. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
14 by agreement to further extend to August 31, 2010, the time in
15 which the United States is required to file a civil complaint for
16 forfeiture against the defendant funds and/or to obtain an
17 indictment alleging that the defendant funds are subject to
18 forfeiture.

19 8. The parties would like to advise the Court that they have
20 reached a resolution of this case and that the continued request
21 for an extension of time to file is for that purpose.
22 Specifically, the parties are in the process of signing the
23 required settlement documents, however, the claimant lives outside
24 the United States. Thus, the process is taking longer than
25 anticipated. The parties anticipate filing the settlement-related
26 documents with the Court prior to the expiration of the current
27 requested extension of time to file.

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