

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	UNITED STATES OF AMERICA,	)	2:10-MC-00060-FCD-KJN
		)	
12	Plaintiff,	)	
		)	
13	v.	)	
		)	STIPULATION AND ORDER EXTENDING
14	APPROXIMATELY \$105,500.00 IN	)	TIME FOR FILING A COMPLAINT FOR
	U.S. CURRENCY SEIZED FROM JP	)	FORFEITURE AND/OR TO OBTAIN AN
15	MORGAN CHASE PERSONAL MONEY	)	INDICTMENT ALLEGING FORFEITURE
	MARKET ACCOUNT NUMBER 4178013903,	)	
16	HELD IN THE NAME VERONICA C.	)	
	PADILLA,	)	
17		)	
	Defendant.	)	
18		)	
		)	

19

20 It is hereby stipulated by and between the United States of  
 21 America and claimant Raymond Padilla, Jr. ("claimant"), by and  
 22 through his respective attorney, as follows:

23 1. On or about March 18, 2010, claimant filed a claim, in the  
 24 administrative forfeiture proceedings, with the Internal Revenue  
 25 Service with respect to the Approximately \$105,500.00 in U.S.  
 26 Currency seized from JP Morgan Chase Personal Money Market Account  
 27 Number 4178013903, held in the name Veronica C. Padilla, (the  
 28 "defendant funds"), which was seized on or about January 7, 2010.

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. § 983(a)(2)(A)-  
5 (E), and no person other than the claimant has filed a claim to the  
6 defendant funds as required by law in the administrative forfeiture  
7 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 the  
13 court extends the deadline for good cause shown or by agreement of  
14 the parties. That deadline was June 16, 2010.

15           4. By Stipulation and Order filed June 2, 2010, the parties  
16 stipulated to extend to August 16, 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 alleging  
19 that the defendant funds are subject to forfeiture.

20           5. By Stipulation and Order filed August 16, 2010, the  
21 parties stipulated to extend to August 23, 2010, the time in which  
22 the United States is required to file a civil complaint for  
23 forfeiture against the defendant funds and/or to obtain an  
24 indictment alleging that the defendant funds are subject to  
25 forfeiture.

26           6. By Stipulation and Order filed August 20, 2010, the  
27 parties stipulated to extend to October 22, 2010, the time in which  
28 the United States is required to file a civil complaint for

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

4 7. By Stipulation and Order filed October 12, 2010, the  
5 parties stipulated to extend to January 20, 2011, the time in which  
6 the United States is required to file a civil complaint for  
7 forfeiture against the defendant funds and/or to obtain an  
8 indictment alleging that the defendant funds are subject to  
9 forfeiture.

10 8. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish  
11 by agreement to further extend to February 25, 2011, the time in  
12 which the United States is required to file a civil complaint for  
13 forfeiture against the defendant funds and/or to obtain an  
14 indictment alleging that the defendant funds are subject to  
15 forfeiture.

16 9. Accordingly, the parties agree that the deadline by which  
17 the United States shall be required to file a complaint for  
18 forfeiture against the defendant funds and/or to obtain an

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 indictment alleging that the defendant funds are subject to  
2 forfeiture shall be extended to **February 25, 2011.**

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

BENJAMIN B. WAGNER  
United States Attorney

DATE: 12/17/10

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


DATE: 12/17/2010

/s/ Donald H. Heller  
DONALD H. HELLER  
Attorney for Claimant Raymond  
Padilla, Jr.

(Original signature retained by  
attorney)

**IT IS SO ORDERED.**

DATED: December 21, 2010

  
FRANK C. DAMRELL, JR.  
UNITED STATES DISTRICT JUDGE