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 7
                IN THE UNITED STATES DISTRICT COURT FOR THE
 8
                       EASTERN DISTRICT OF CALIFORNIA
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10
                                      ) 2:11-MC-00003-WBS-EFB
   UNITED STATES OF AMERICA,
11
                   Plaintiff,
                                       STIPULATION AND ORDER EXTENDING
12
                                       TIME FOR FILING A COMPLAINT FOR
                                      ) FORFEITURE AND/OR TO OBTAIN AN
         v.
13
                                       INDICTMENT ALLEGING FORFEITURE
   APPROXIMATELY $20,725.00 IN U.S.
14
   CURRENCY,
15
   APPROXIMATELY $24,855.00 IN U.S.
   CURRENCY SEIZED FROM SAFE
16
   DEPOSIT BOX #235,
17
   APPROXIMATELY $129,676.77 SEIZED
   FROM BANK OF AMERICA ACCOUNT
18
   NUMBER 02816-06729,
19
   APPROXIMATELY $11,196.18 SEIZED
   FROM BANK OF AMERICA ACCOUNT
20
   NUMBER 02810-16004,
21
   APPROXIMATELY $117,302.47 SEIZED
   FROM BANK OF AMERICA CD ACCOUNT
2.2
   NUMBER 02819-08191,
2.3
   APPROXIMATELY $185,247.84 SEIZED
   FROM BANK OF AMERICA CD ACCOUNT
24
   NUMBER 02810-08280,
25
   APPROXIMATELY $5,242.55 SEIZED
   FROM CHASE BANK ACCOUNT NUMBER
26
   18212938435,
27
   APPROXIMATELY $479,170.28 SEIZED )
   FROM WEST AMERICA BANK ACCOUNT
28
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1	NUMBER 1505054492,
2	APPROXIMATELY \$12,305.80 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
3	NUMBER 25630085,
4	APPROXIMATELY \$6,403.46 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
5	NUMBER 25630413,
6	APPROXIMATELY \$12,186.97 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
7	NUMBER 802820151,
8	APPROXIMATELY \$39,715.64 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
9	NUMBER 2800578,
10	APPROXIMATELY \$37,895.74 SEIZED) FROM WEST AMERICA BANK ACCOUNT)
11	NUMBER 505107300,
12	APPROXIMATELY \$17,928.84 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
13	NUMBER 802820585,
14	APPROXIMATELY \$12,413.49 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
15	NUMBER 2249995,
16	APPROXIMATELY \$19,675.65 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
17	NUMBER 2249669,
18	APPROXIMATELY \$98,515.79 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
19	NUMBER 25630652,
20	APPROXIMATELY \$7,119.45 SEIZED) FROM CITY NATIONAL BANK ACCOUNT)
21	NUMBER 25630099,
22	APPROXIMATELY \$292,573.97 SEIZED) FROM WELLS FARGO BANK ACCOUNT)
23	NUMBER 3598404063,
24	APPROXIMATELY \$103,117.83 SEIZED)
25	FROM WELLS FARGO BANK ACCOUNT) NUMBER 910442044750301, and)
26	APPROXIMATELY \$63,160.41 SEIZED)
27	FROM WELLS FARGO BANK ACCOUNT) NUMBER 7936680284,
28	Defendants.)

2.2

- 1. On or about October 12, 2010, claimant Thomas Edward Frankovich filed claims, in the administrative forfeiture proceedings, with the Drug Enforcement Administration with respect to the twenty-one assets listed in the above-caption (hereafter the "defendant funds"), which were seized June 24-28, 2010. On or about October 27, 2010, claimants Thomas Edward Frankovich and Margaret C. Atkinson filed claims, in the administrative forfeiture proceedings, with the Drug Enforcement Administration with respect to five of the bank accounts listed in the above-caption which were seized on June 25, 2010.
- 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a claim to the defendant funds under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than the claimants have filed a claim to the defendant funds as required by law in the administrative forfeiture proceeding.
- 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture within 90 days after a claim has been filed in the administrative forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of the parties. That deadline is currently January 10, 2011.

1	4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish
2	by agreement to extend to February 28, 2011, the time in which the
3	United States is required to file a civil complaint for forfeiture
4	against the defendant funds and/or to obtain an indictment alleging
5	that the defendant funds are subject to forfeiture.
6	5. Accordingly, the parties agree that the deadline by which
7	the United States shall be required to file a complaint for
8	forfeiture against the defendant funds and/or to obtain an
9	indictment alleging that the defendant funds are subject to
10	forfeiture shall be extended to February 28, 2011.
11	BENJAMIN B. WAGNER United States Attorney
12	onreed bedded needing,
13	DATE: 1-7-11 /s/ Kelli L. Taylor KELLI L. TAYLOR
14	Assistant U.S. Attorney
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16	DATE: 1-6-2011 /s/ Brenda Grantland BRENDA GRANTLAND
17	Attorney for Claimants Thomas Edward Frankovich and Margaret C. Atkinson
18	(Original signature retained by attorney)
19	
20	IT IS SO ORDERED.
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22	DATE: January 7, 2011
23	Milliam Va Shibt
24	WILLIAM B. SHUBB UNITED STATES DISTRICT JUDGE
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