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7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

2:12-MC-00058-LKK-DAD

12 Plaintiff,

13 v.

STIPULATION AND ORDER
EXTENDING TIME FOR FILING
A COMPLAINT FOR
FORFEITURE AND/OR TO
OBTAIN AN INDICTMENT
ALLEGING FORFEITURE

14 APPROXIMATELY \$143,058.81 IN U.S.
CURRENCY SEIZED FROM WELLS
15 FARGO BANK PERSONAL CHECKING
ACCOUNT NUMBER 2065307502, AND

16 APPROXIMATELY \$173,450.00 IN U.S.
17 CURRENCY SEIZED FROM JP
MORGAN CHASE PERSONAL
18 CHECKING ACCOUNT NUMBER
918200346,

19 Defendants.
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21 It is hereby stipulated by and between the United States of America and
22 claimant Jeffrey S. Walker ("claimant"), by and through their respective counsel, as
23 follows:

24 1. On or about May 7, 2012, claimant Jeffrey S. Walker filed a claim, in the
25 administrative forfeiture proceedings, with the Internal Revenue Service with respect
26 to the Approximately \$143,058.81 in U.S. Currency seized from Wells Fargo Bank
27 Personal Checking Account Number 2065307502 and Approximately \$173,450.00 in
28

1 U.S. Currency seized from JP Morgan Chase Personal Checking Account Number
2 918200346 (hereafter the "defendant funds"), which were seized on March 6, 2012.

3 2. The Internal Revenue Service has sent the written notice of intent to
4 forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time
5 has expired for any person to file a claim to the defendant funds under 18 U.S.C. §
6 983(a)(2)(A)-(E), and no person other than the claimant has filed a claim to the
7 defendant funds as required by law in the administrative forfeiture proceeding.

8 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a
9 complaint for forfeiture against the defendant funds and/or to obtain an indictment
10 alleging that the defendant funds are subject to forfeiture within ninety days after a
11 claim has been filed in the administrative forfeiture proceedings, unless the court
12 extends the deadline for good cause shown or by agreement of the parties. The
13 deadline is currently August 6, 2012.

14 4. By Stipulation and Order filed July 30, 2012, the parties stipulated to
15 extend to November 6, 2012, the time in which the United States is required to file a
16 civil complaint for forfeiture against the defendant funds and/or to obtain an
17 indictment alleging that the defendant funds are subject to forfeiture.

18 5. By Stipulation and Order filed November 1, 2012, the parties stipulated to
19 extend to February 6, 2013, the time in which the United States is required to file a
20 civil complaint for forfeiture against the defendant funds and/or to obtain an
21 indictment alleging that the defendant funds are subject to forfeiture.

22 6. By Stipulation and Order filed February 6, 2013, the parties stipulated to
23 extend to May 6, 2013, the time in which the United States is required to file a civil
24 complaint for forfeiture against the defendant funds and/or to obtain an indictment
25 alleging that the defendant funds are subject to forfeiture.

26 7. By Stipulation and Order filed May 9, 2013, the parties stipulated to
27 extend to August 6, 2013, the time in which the United States is required to file a civil
28 complaint for forfeiture against the defendant funds and/or to obtain an indictment

1 alleging that the defendant funds are subject to forfeiture.

2 8. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to
3 extend to November 6, 2013, the time in which the United States is required to file a
4 civil complaint for forfeiture against the defendant funds and/or to obtain an
5 indictment alleging that the defendant funds are subject to forfeiture.

6 9. Accordingly, the parties agree that the deadline by which the United
7 States shall be required to file a complaint for forfeiture against the defendant funds
8 and/or to obtain an indictment alleging that the defendant funds are subject to
9 forfeiture shall be extended to November 6, 2013.

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11 BENJAMIN B. WAGNER
United States Attorney

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13 DATE: 8/5/13


13 By: /s/ Kevin C. Khasigian
14 KEVIN C. KHASIGIAN
Assistant U.S. Attorney

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16 DATE: 8/2/13

16 /s/ J. Patrick McCarthy
17 J. PATRICK MCCARTHY
Attorney for Claimant
18 Jeffrey S. Walker
(Original signature retained by attorney)

19 IT IS SO ORDERED, nunc pro tunc.

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21 DATE: August 22, 2013.

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24 LAWRENCE K. KARLTON
25 SENIOR JUDGE
26 UNITED STATES DISTRICT COURT
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