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

10
 11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$56,212.00 IN U.S.
 CURRENCY AND

15 APPROXIMATELY \$12,000.00 IN U.S.
 16 CURRENCY,

17 Defendants.

Case No. 2:12-mc-0069 MCE CKD

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

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 19 It is hereby stipulated by and between the United States of America and claimant Robert
 20 Cappiello (“claimant”), by and through their respective counsel, as follows:

21 1. On or about June 20, 2012, claimant Robert Cappiello filed a claim in the
 22 administrative forfeiture proceedings, with the Drug Enforcement Administration with respect to the
 23 Approximately \$56,212.00 in U.S. Currency and Approximately \$12,000.00 in U.S. Currency
 24 (hereafter the “defendant currency”), which was seized on March 7, 2012.

25 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit
 26 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any
 27 person to file a claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person
 28

1 other than claimant has filed a claim to the defendant currency as required by law in the
2 administrative forfeiture proceeding.

3 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
4 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
5 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
6 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of
7 the parties. That deadline is currently September 18, 2012.

8 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to
9 November 19, 2012, the time in which the United States is required to file a civil complaint for
10 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
11 currency is subject to forfeiture.

12 6. Accordingly, the parties agree that the deadline by which the United States shall be
13 required to file a complaint for forfeiture against the defendant currency and/or to obtain an
14 indictment alleging that the defendant currency is subject to forfeiture shall be extended to
15 November 19, 2012.

16 Dated: 8/31/12

BENJAMIN B. WAGNER
United States Attorney

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


19
20 Dated: 8.31.12

/s/ Zenia K. Gilg
ZENIA K. GILG
Attorney for Claimant
Robert Cappiello

(Signature retained by attorney)

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23 **IT IS SO ORDERED.**

24 Dated: September 5, 2012

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26 
MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE