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5 Attorneys for the United States

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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.

2:12-MC-00084-MCE-CKD

14 APPROXIMATELY \$86,386.34 IN U.S.  
CURRENCY SEIZED FROM WELLS  
15 FARGO BANK ACCOUNT NUMBER 837-  
8529088,

16 APPROXIMATELY \$75,799.17 IN U.S.  
CURRENCY SEIZED FROM WELLS  
17 FARGO BANK ACCOUNT NUMBER 237-  
4897144,

18  
19 APPROXIMATELY \$12,487.89 IN U.S.  
CURRENCY SEIZED FROM WELLS  
20 FARGO BANK ACCOUNT NUMBER 837-  
7300564,

21 APPROXIMATELY \$40,000.00 IN U.S.  
CURRENCY SEIZED FROM WELLS  
22 FARGO BANK ACCOUNT NUMBER 840-  
2798287,

23  
24 APPROXIMATELY \$4,779.21 IN U.S.  
CURRENCY SEIZED FROM WELLS  
25 FARGO BANK ACCOUNT NUMBER 837-  
7299931,

26  
27 APPROXIMATELY \$22,560.00 IN U.S.  
CURRENCY SEIZED FROM WELLS  
FARGO BANK ACCOUNT NUMBER 522-  
28 9480073,

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

1 APPROXIMATELY \$16,300.00 IN U.S.  
2 CURRENCY SEIZED FROM WELLS  
3 FARGO BANK ACCOUNT NUMBER 688-  
4 7162441,

5 APPROXIMATELY \$2,315.48 IN U.S.  
6 CURRENCY SEIZED FROM WELLS  
7 FARGO BANK ACCOUNT NUMBER 837-  
8 7300341,

9 APPROXIMATELY \$6,705.79 IN U.S.  
10 CURRENCY SEIZED FROM U.S. BANK  
11 ACCOUNT NUMBER 1-534-6593-5705,

12 APPROXIMATELY \$23,437.76 IN U.S.  
13 CURRENCY SEIZED FROM U.S. BANK  
14 ACCOUNT NUMBER 1-534-9727-8140,

15 APPROXIMATELY \$8,270.00 IN U.S.  
16 CURRENCY,

17 APPROXIMATELY \$12,290.00 IN U.S.  
18 CURRENCY,

19 APPROXIMATELY \$7,874.00 IN U.S.  
20 CURRENCY,

21 APPROXIMATELY \$9,600.00 IN U.S.  
22 CURRENCY,

23 APPROXIMATELY \$41,820.00 IN U.S.  
24 CURRENCY,

25 APPROXIMATELY \$4,980.00 IN U.S.  
26 CURRENCY,

27 APPROXIMATELY \$22,057.00 IN U.S.  
28 CURRENCY,

ASSORTED JEWELRY VALUED AT  
\$178,675.00,

ASSORTED JEWELRY VALUED AT  
\$32,000.00,

2010 HARLEY DAVIDSON ROAD GLIDE  
TOURING MOTORCYCLE, VIN:  
1HD1KH43XAB656597, CALIFORNIA  
LICENSE: 20J4782,

2010 HARLEY DAVIDSON ROAD GLIDE  
TOURING MOTORCYCLE, VIN:

1 1HD1KH43XAB645194, CALIFORNIA  
LICENSE: 20E7868,  
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3 2011 HARLEY DAVIDSON ROAD GLIDE  
TOURING MOTORCYCLE, VIN:  
4 1HD1KH435BB605168, CALIFORNIA  
LICENSE: 20M0719,  
5  
6 2011 HARLEY DAVIDSON ROAD GLIDE  
TOURING MOTORCYCLE, VIN:  
7 1HD1KH431BB627068, CALIFORNIA  
LICENSE: 20M5789,  
8  
9 2003 HARLEY DAVIDSON FXDXT  
MOTORCYCLE, VIN:  
10 1HD1GLV153K315113, CALIFORNIA  
LICENSE: 18E3564,  
11  
12 2009 MERCEDES BENZ S550, VIN:  
WDDNG71XX9A272641, CALIFORNIA  
13 LICENSE: 6TFD622,  
14  
15 2009 LAND ROVER RANGE ROVER, VIN:  
SALSH23469A210503, CALIFORNIA  
16 LICENSE: 6HXA254,  
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18 2010 GMC SAVANA CONVERSION VAN  
EXPLORER, VIN: 1GDZGMBG3A1138479,  
19 CALIFORNIA LICENSE: 6KTW397,  
20  
21 2012 ELIMINATOR SPEEDSTER BOAT,  
VIN: ELBA0131G112, CALIFORNIA  
22 VESSEL NUMBER: CF0818RR,  
23  
24 2012 EXTREME CARRIER TRAILER, VIN:  
5DBUP28381R000028, CALIFORNIA  
25 LICENSE: 4LU8888,  
26  
27 2008 NORDIC 28-FOOT POWER BOAT  
WITH 2004 TRAILER, VIN: NDC86722G708,  
28 CALIFORNIA VESSEL NUMBER:  
CF5317RN,  
29  
30 2007 TRACKER TARGA 17 SPORT BOAT  
WITH 2004 TRAILER, VIN: BUJ64228C707,  
31 CALIFORNIA VESSEL NUMBER:  
CF3895RN,  
32  
33 SIG SAUER MOSQUITO 22 CALIBER  
SEMI-AUTOMATIC HANDGUN, SERIAL  
34 NUMBER: F011198,  
35  
36 GLOCK 45 CALIBER, MODEL 21  
HANDGUN, SERIAL NUMBER: MRX665,  
37 WITH AMMUNITION,  
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GLOCK 40 CALIBER, MODEL 23 SEMI-AUTOMATIC HANDGUN, SERIAL NUMBER: GDZ776, WITH AMMUNITION, SMITH AND WESSON, MODEL AR-15 RIFLE, SERIAL NUMBER: 97540, WITH AMMUNITION, AND 2008 FORD F-350 CREW CAB TRUCK, VIN: 1FTWW31R88EA64972, CALIFORNIA LICENSE: 8N24680,

Defendants.

It is hereby stipulated by and between the United States of America and Claimants Steven Ortega, Sr., Steven Ortega, Jr., Anthony Winters, Richard Serrell, Steven M. Adgate, Andrea Vickery, Joseph and Karin Mirante, Justin McMillan, Jason Siegfried, Ashley Owles, Derek Winters, Anthony Giarrusso and Marla Ortega, by and through their respective attorneys, and Thomas and Denise Hohn, in *propria persona* ("Claimants"), as follows:

1. The following table details the claimant, assets, dates in which claims were filed in the administrative forfeiture proceedings with either the Internal Revenue Service – Criminal Investigation ("IRS-CI") or the U.S. Drug Enforcement Administration ("DEA") and the dates the defendant assets were seized:

Claimant	Asset	Claim Rec'd	Complaint Due	Agency	Date Seized
Anthony Winters	Approximately \$86,386.34 in USC seized from Wells Fargo Bank	7/30/2012	10/28/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$86,386.34 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Anthony Winters	Approximately \$75,799.17 in USC seized from Wells Fargo Bank	7/30/2012	10/28/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$75,799.17 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Anthony Winters	Approximately \$12,487.89 in USC seized from Wells Fargo Bank	7/30/2012	10/28/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$12,487.89 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012

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Claimant	Asset	Claim Filed	Complaint Due	Agency	Date Seized
Steven and Marla Ortega	Approximately \$22,560.00 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$16,300.00 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$2,315.48 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$6,705.79 in USC seized from US Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Steven and Marla Ortega	Approximately \$23,437.76 in USC seized from US Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
Steven Ortega, Jr.	Approximately \$23,437.76 in USC seized from US Bank	8/07/2012	11/05/2012	IRS-CI	5/16/2012
Anthony Winters	Approximately \$8,270.00 in USC	7/30/2012	10/28/2012	DEA	5/16/2012
Anthony Winters	Approximately \$12,290.00 in USC	7/30/2012	10/28/2012	DEA	5/16/2012
Steven and Marla Ortega	Approximately \$12,290.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
Steven and Marla Ortega	Approximately \$7,874.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
Richard Serrell	Approximately \$9,600.00 in USC	8/02/2012	10/31/2012	DEA	5/16/2012
Steven Ortega, Jr.	Approximately \$41,820.00 in USC	8/03/2012	11/01/2012	DEA	5/16/2012
Steven and Marla Ortega	Approximately \$4,980.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
Steven and Marla Ortega	Approximately \$22,057.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
Steven and Marla Ortega	Approximately \$57,642.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
Richard Serrell	Assorted Jewelry Valued at \$178,675.00	8/02/2012	10/31/2012	DEA	5/16/2012
Andrea Vickery	Assorted Jewelry Valued at \$32,000.00	8/17/2012	11/15/2012	DEA	5/16/2012
Steven Ortega, Jr.	Assorted Jewelry Valued at \$32,000.00	8/03/2012	11/01/2012	DEA	5/16/2012
Steven and Marla Ortega	2010 Harley Davidson Road Glide Touring Motorcycle, 6597	8/06/2012	11/04/2012	DEA	5/16/2012
Thomas and Denise Hohn	2010 Harley Davidson Road Glide Touring Motorcycle, 6597	8/16/2012	11/14/2012	DEA	5/16/2012
Steven and Marla Ortega	2010 Harley Davidson Road Glide Touring Motorcycle, 5194	8/06/2012	11/04/2012	DEA	5/16/2012
Joseph and Karin Mirante	2010 Harley Davidson Road Glide Touring Motorcycle, 5194	8/08/2012	11/06/2012	DEA	5/16/2012
Steven Ortega, Jr.	2011 Harley Davidson Road Glide Touring Motorcycle, 5168	8/03/2012	11/01/2012	DEA	5/16/2012
Steven Ortega, Jr.	2011 Harley Davidson Road Glide Touring	8/03/2012	11/01/2012	DEA	5/16/2012

		Motorcycle, 7068				
1	<b>Claimant</b>	<b>Asset</b>	<b>Claim Filed</b>	<b>Complaint Due</b>	<b>Agency</b>	<b>Date Seized</b>
2	Joseph and Karin Mirante	2009 Mercedes Benz S550	8/08/2012	11/06/2012	DEA	5/16/2012
3	Derek Winters	2009 Land Rover Range Rover	8/02/2012	10/31/2012	DEA	5/16/2012
4	Richard Serrell	2010 GMC Savana Conversion Van Explorer	8/02/2012	10/31/2012	DEA	5/16/2012
5	Steven Ortega, Jr.	2012 Eliminator Speedster Boat	8/03/2012	11/01/2012	DEA	5/16/2012
6	Steven Adgate	2012 Eliminator Speedster Boat	8/15/2012	11/13/2012	DEA	5/16/2012
7	Steven Ortega, Jr.	2012 Extreme Carrier Trailer	8/03/2012	11/01/2012	DEA	5/16/2012
8	Steven Adgate	2012 Extreme Carrier Trailer	8/15/2012	11/13/2012	DEA	5/16/2012
9	Richard Serrell	2008 Nordic 28-Foot Power Boat with 2004 Trailer	8/02/2012	10/31/2012	DEA	5/16/2012
10	Derek Winters	2007 Tracker Targa 17 Sport Boat with 2004 Trailer	8/02/2012	10/31/2012	DEA	5/16/2012
11	Steven and Marla Ortega	Sig Sauer Mosquito 22 Caliber Semi-Automatic handgun	8/06/2012	11/04/2012	DEA	5/16/2012
12	Justin McMillian	Glock 45 Caliber, Model 21 Handgun	8/13/2012	11/11/2012	DEA	5/16/2012
13	Jason Siegfried	Glock 40 Caliber, Model 23 Semi-Automatic Handgun	8/15/2012	11/13/2012	DEA	5/16/2012
14	Ashley Owles	Glock 40 Caliber, Model 23 Semi-Automatic Handgun	8/15/2012	11/13/2012	DEA	5/16/2012
15	Justin McMillian	Smith & Wesson, Model AR-15 Rifle	8/13/2012	11/11/2012	DEA	5/16/2012
16	Anthony Giarrusso	2008 Ford F-350 Crew Cab Truck	10/15/2012	1/13/2013	DEA	5/16/2012
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2. The Internal Revenue Service – Criminal Investigation and the U.S. Drug Enforcement Administration have sent written notice of the 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 assets under 18 U.S.C. § 983(a)(2)(A) (E), and no person other than Claimants have filed a claim to the defendant assets 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 assets and/or to obtain an indictment alleging that the defendant assets are subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture proceedings, unless the court extends the deadline

1 for good cause shown or by agreement of the parties. The deadlines for each of the  
2 defendant assets are listed above, with the earliest date of October 28, 2012.

3 4. By Stipulation and Order filed October 18, 2012, the parties stipulated to  
4 extend to January 25, 2013, the time in which the United States is required to file a civil  
5 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
6 alleging that the defendant assets are subject to forfeiture.

7 5. By Stipulation and Order filed January 15, 2013, the parties stipulated to  
8 extend to April 12, 2013, the time in which the United States is required to file a civil  
9 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
10 alleging that the defendant assets are subject to forfeiture.

11 6. By Stipulation and Order filed April 15, 2013, the parties stipulated to  
12 extend to July 12, 2013, the time in which the United States is required to file a civil  
13 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
14 alleging that the defendant assets are subject to forfeiture.

15 7. By Stipulation and Order filed July 12, 2013, the parties stipulated to  
16 extend to October 11, 2013, the time in which the United States is required to file a civil  
17 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
18 alleging that the defendant assets are subject to forfeiture.

19 8. By Stipulation and Order filed October 11, 2013, the parties stipulated to  
20 extend to January 9, 2014, the time in which the United States is required to file a civil  
21 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
22 alleging that the defendant assets are subject to forfeiture.

23 9. By Stipulation and Order filed January 7, 2014, the parties stipulated to  
24 extend to April 9, 2014, the time in which the United States is required to file a civil  
25 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
26 alleging that the defendant assets are subject to forfeiture.

27 10. By Stipulation and Order filed April 11, 2014, the parties stipulated to  
28 extend to July 8, 2014, the time in which the United States is required to file a civil

1 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
2 alleging that the defendant assets are subject to forfeiture.

3 11. By Stipulation and Order filed July 22, 2014, the parties stipulated to  
4 extend to October 6, 2014, the time in which the United States is required to file a civil  
5 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
6 alleging that the defendant assets are subject to forfeiture.

7 12. By Stipulation and Order filed October 7, 2014, the parties stipulated to  
8 extend to January 5, 2015, the time in which the United States is required to file a civil  
9 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
10 alleging that the defendant assets are subject to forfeiture.

11 13. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to  
12 extend to April 6, 2015, the time in which the United States is required to file a civil  
13 complaint for forfeiture against the defendant assets and/or to obtain an indictment  
14 alleging that the defendant assets are subject to forfeiture.

15 14. Accordingly, the parties agree that the deadline by which the United States  
16 shall be required to file a complaint for forfeiture against the defendant assets and/or to  
17 obtain an indictment alleging that the defendant assets are subject to forfeiture shall be  
18 extended to April 6, 2015.

19 DATE: 12/31/2014

BENJAMIN B. WAGNER  
United States Attorney

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

23 DATE: 12/31/2014

/s/ Carolyn M. Hagin  
24 CAROLYN M. HAGIN  
25 Attorney for Claimant Anthony Winters  
(Authorized via email)

26 DATE: 12/19/2014

/s/ Benjamin D. Galloway  
27 BENJAMIN D. GALLOWAY  
28 Attorney for Claimant Steven Ortega, Sr.  
(Authorized via email)



1 DATE: 12/21/2014

/s/ Darryl Stallworth  
DARRYL STALLWORTH  
Attorney for Claimant Richard Serrell  
(Authorized via email)

4 DATE: 12/30/2014

/s/ William J. Portanova  
WILLIAM J. PORTANOVA  
Attorney for Claimant Steven Adgate  
(Authorized via email)

7 DATE: 12/19/2014

/s/ Scott A. Sugarman  
SCOTT A. SUGARMAN  
Attorney for Claimants  
Joseph and Karin Mirante  
(Authorized via email)

10 DATE: 12/20/14

/s/ Randy Sue Pollock  
RANDY SUE POLLOCK  
Attorney for Claimant Steven Ortega, Jr.  
(Signature retained by attorney)

13 DATE: 12/20/14

/s/ Randy Sue Pollock  
RANDY SUE POLLOCK  
Attorney for Claimant Andrea Vickery  
(Signature retained by attorney)

16 DATE: 12/31/2014

/s/ Russell S. Humphrey  
RUSSELL S. HUMPHREY  
Attorney for Claimant Derek Winters  
(Authorized via email)

19 DATE: 1/2/2015

/s/ James R. Greiner  
JAMES R. GREINER  
Attorney for Claimants  
Jason Siegfried and Ashley Owles  
(Authorized via email)

22 DATE: 12/23/2014

/s/ Scott N. Cameron  
SCOTT N. CAMERON  
Attorney for Claimant Justin McMillian  
(Authorized via email)

25 DATE: 12/19/2014

/s/ Hayes H. Gable III  
HAYES H. GABLE III  
Attorney for Claimant Anthony Giarrusso  
(Authorized via email)

1 DATE: 12/31/2014

/s/ Shari Rusk  
SHARI RUSK  
Attorney for Claimant Marla Ortega  
(Authorized via email)

4 DATE: 12/22/2014


/s/ Thomas Hohn  
THOMAS HOHN  
Claimant, Appearing in *propria persona*  
(Authorized via email)

7 DATE: 12/22/2014

/s/ Denise Hohn  
DENISE HOHN  
Claimant, Appearing in *propria persona*  
(Authorized via email)

10 IT IS SO ORDERED.

11 Dated: January 5, 2015

  
MORRISON C. ENGLAND, JR., CHIEF JUDGE  
UNITED STATES DISTRICT COURT