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Attorneys for the United States

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$122,000.00 IN U.S.  
CURRENCY,

Defendant.

2:13-MC-00072-MCE-AC

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

It is hereby stipulated by and between the United States of America and claimant Gregory Thomas Phelan (“claimant”), by and through their respective counsel, as follows:

1. On or about May 6, 2013, claimant Gregory Thomas Phelan filed a claim in the administrative forfeiture proceeding with the U.S. Postal Inspection Service with respect to the Approximately \$122,000.00 in U.S. Currency (hereafter “defendant currency”), which was seized on February 5, 2013.

2. The U.S. Postal Inspection Service 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 currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant has filed a claim to the defendant currency as required by law in the administrative forfeiture proceeding.

1           3.       Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for  
2 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant  
3 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative  
4 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the  
5 parties. That deadline is August 2, 2013.

6           4.       As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to  
7 October 31, 2013, the time in which the United States is required to file a civil complaint for forfeiture  
8 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
9 subject to forfeiture.

10          5.       Accordingly, the parties agree that the deadline by which the United States shall be  
11 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment  
12 alleging that the defendant currency is subject to forfeiture shall be extended to October 31, 2013.

13 Dated: 7/23/2013

BENJAMIN B. WAGNER  
United States Attorney

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


17 Dated: 7/23/2013

/s/ Timothy Zindel  
18 TIMOTHY ZINDEL  
19 Attorney for claimant  
Gregory Thomas Phelan, Sr.

20 (Signature authorized by email)

21 **IT IS SO ORDERED.**

22 Dated: August 2, 2013

23  
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25 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
26 UNITED STATES DISTRICT COURT  
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