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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.

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

15 Defendant.
 16

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

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

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

24 2. The U.S. Postal Inspection Service has sent the written notice of intent to forfeit required
 25 by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a
 26 claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant
 27 has filed a claim to the defendant currency as required by law in the administrative forfeiture proceeding.
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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 was August 2, 2013.

6 4. By Stipulation and Order filed August 5, 2013, the parties stipulated to extend to October
7 31, 2013, the time in which the United States is required to file a civil complaint for forfeiture against the
8 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
9 forfeiture.

10 5. By Stipulation and Order filed October 31, 2013, the parties stipulated to extend to
11 January 29, 2014, the time in which the United States is required to file a civil complaint for forfeiture
12 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
13 subject to forfeiture.

14 6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
15 to March 28, 2014, the time in which the United States is required to file a civil complaint for forfeiture
16 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
17 subject to forfeiture.

18 7. Accordingly, the parties agree that the deadline by which the United States shall be

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1 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
2 alleging that the defendant currency is subject to forfeiture shall be extended to March 28, 2014.

3 Dated: 1/24/14

BENJAMIN B. WAGNER
United States Attorney

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

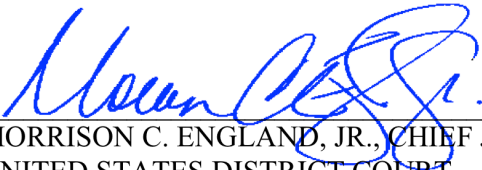
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8 Dated: 1/23/14

/s/ Timothy Zindel
TIMOTHY ZINDEL
Attorney for claimant Gregory Thomas Phelan
(Authorized by email)

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12 **ORDER**

13 IT IS SO ORDERED.

14 Dated: January 27, 2014

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