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8	IN THE UNITED STATES DISTRICT COURT		
9	EASTERN DISTRICT OF CALIFORNIA		
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11	UNITED STATES OF AMERICA,	2:14-cv-02586-MCE-DB	
12	Plaintiff,	STIPULATION AND ORDER TO STAY FURTHER PROCEEDINGS	
13	V.	STATTORTILLATROCLEDINGS	
14	APPROXIMATELY \$30,670.00 IN U.S. CURRENCY,		
15	Defendant.		
16			
17			
18	The United States and claimant Christian Dapaah ("claimant") hereby stipulate that a stay is		
19	necessary in the above-entitled action, and request that the Court enter an order staying all further		
20	proceedings due to an on-going related criminal case against claimant Christian Dapaah in Stanislaus		
21	County Superior Court People v. Christian William Dapaah, Case Number 1469889. A Preliminary		
22	Hearing is presently scheduled for January 26, 2017.		
23	1. Claimant has filed a claim in this <i>in rem</i> forfeiture action, asserting he is the legal and		
24	rightful owner of the defendant property in this action. ECF No. 6.		
25	2. The stay is requested pursuant to	18 U.S.C. §§ 981(g)(1) and 981(g)(2). The United	

25 2. The stay is requested pursuant to 18 U.S.C. §§ 981(g)(1) and 981(g)(2). The United
26 States contends that the defendant currency was derived from or was intended to be used in a violation
27 of federal law, 21 U.S.C. § 841, et seq. (manufacture, distribute, or dispense, or possess with intent to
28 manufacture, distribute, or dispense, a controlled substance). Claimant denies these allegations.

Stipulation and Order to Stay Further Proceedings

3. The United States intends to depose claimant Dapaah regarding his claim and the
 allegations as set forth in the complaint. If discovery proceeds at this time, claimant will be placed in
 the difficult position of either invoking his Fifth Amendment rights against self-incrimination and
 losing the ability to pursue his claim to the Defendant Currency, or waiving his Fifth Amendment rights
 and submitting to a deposition and potentially incriminating himself. If he invokes his Fifth
 Amendment rights, the United States will be deprived of the ability to explore the factual basis for the
 claim he filed with this court.

8 4. In addition, claimant intends to depose, among others, law enforcement involved with
9 this and other investigations. Allowing depositions of the law enforcement officers at this time would
10 adversely impact the ability of such law enforcement officers to prosecute the alleged underlying
11 criminal conduct.

5. The parties recognize that proceeding with this action at this time would have potential
adverse effects on the criminal case and/or upon the claimant's ability to assert any defenses to
forfeiture. For these reasons, and because the parties are attempting to settle the civil forfeiture case,
the parties jointly request that these matters be stayed until March 24, 2017, in accordance with the
terms of this stipulation.

17 6. At that time the parties will advise the court of the status of the criminal investigation18 and will advise the court whether a further stay is necessary.

19 Respectfully submitted, 20 Dated: December 22, 2016 PHILLIP A TALBERT United States Attorney 21 22 By: /s/ Jeffrey A. Spivak JEFFREÝ A. SPIVAK 23 Assistant U.S. Attorney 24 25 Dated: December 22, 2016 /s/ Austin Thompson AUSTIN THOMPSON 26 GARCIA, SCHNAYERSON & THOMPSON Attorney for Claimant Christian Dapaah 27 (as authorized by email 12/22/2016) 28

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1	ORDER	
2	ONDER	
3	For the reasons set forth above, this matter is stayed pursuant to 18 U.S.C. §§ 981(g)(1) and	
4	981(g)(2) until March 24, 2017, in accordance with the terms of this stipulation. On or before March	
5	17, 2017, the parties will advise the court whether a further stay is necessary.	
6	IT IS SO ORDERED.	
7	Dated: January 4, 2017	
8	Molan 18 1.	
9	MORRISON C. ENGLAND, JR UNITED STATES DISTRICT JUDGE	
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	3 Stipulation and Order to Stay Further Proceedings	
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