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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 \$233,787.00 SEIZED  
FROM WELLS FARGO BANK ACCOUNT  
15 NUMBER 1010216755170,

16 APPROXIMATELY \$52,631.60 SEIZED  
FROM GOLDEN 1 CREDIT UNION  
17 ACCOUNT NUMBER 1202754,

18 APPROXIMATELY \$14,469.24 SEIZED  
FROM CALIFORNIA COMMUNITY  
19 CREDIT UNION ACCOUNT NUMBER  
14240,

20 APPROXIMATELY \$5,853.37 SEIZED  
FROM SCHOOLS FINANCIAL CREDIT  
21 UNION ACCOUNT NUMBER 30746521,

22 APPROXIMATELY \$6,158.20 SEIZED  
FROM SCHOOLS FINANCIAL CREDIT  
23 UNION ACCOUNT NUMBER 30746520, and

24 APPROXIMATELY \$28,696.00 IN U.S.  
25 CURRENCY,

26 Defendants.  
27  
28

2:14-MC-00057-JAM-EFB

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

1 It is hereby stipulated by and between the United States of America and claimants Dale Garrett,  
2 Debora Ann Garrett, Damien Anthony Diaz, and Gabriel Joseph Diaz (“claimants”), by and through their  
3 respective counsel, as follows:

4 1. On or about January 24, 2014, claimants filed claims in the administrative forfeiture  
5 proceeding with the Drug Enforcement Administration with respect to the Approximately \$233,787.00  
6 seized from Wells Fargo Bank Account Number 1010216755170, Approximately \$52,631.60 seized  
7 from Golden 1 Credit Union Account Number 1202754, Approximately \$14,469.24 seized from  
8 California Community Credit Union Account Number 14240, Approximately \$5,853.37 seized from  
9 Schools Financial Credit Union Account Number 30746521, Approximately \$6,158.20 seized from  
10 Schools Financial Credit Union Account Number 30746520, and Approximately \$28,696.00 in U.S.  
11 Currency (hereafter “defendant funds”), which were seized on or about October 8, 2013.

12 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit  
13 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any  
14 person to file a claim to the defendant funds under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other  
15 than claimants has filed a claim to the defendant funds as required by law in the administrative forfeiture  
16 proceeding.

17 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for  
18 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant funds are  
19 subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture  
20 proceeding, unless the court extends the deadline for good cause shown or by agreement of the parties.  
21 That deadline was April 24, 2014.

22 4. By Stipulation and Order filed May 16, 2014, the parties stipulated to extend to July 23,  
23 2014, the time in which the United States is required to file a civil complaint for forfeiture against the  
24 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

25 5. By Stipulation and Order filed July 22, 2014, the parties stipulated to extend to October  
26 21, 2014, the time in which the United States is required to file a civil complaint for forfeiture against the  
27 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

28 6. By Stipulation and Order filed October 20, 2014, the parties stipulated to extend to

1 January 20, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
2 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to  
3 forfeiture.

4 7. By Stipulation and Order filed January 16, 2015, the parties stipulated to extend to April  
5 20, 2015, the time in which the United States is required to file a civil complaint for forfeiture against the  
6 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

7 8. By Stipulation and Order filed April 15, 2015, the parties stipulated to extend to July 20,  
8 2015, the time in which the United States is required to file a civil complaint for forfeiture against the  
9 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

10 9. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend  
11 to October 19, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
12 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to  
13 forfeiture.

14 10. Accordingly, the parties agree that the deadline by which the United States shall be  
15 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment  
16 alleging that the defendant funds are subject to forfeiture shall be extended to October 19, 2015.

17 Dated: 7/9/15

BENJAMIN B. WAGNER  
United States Attorney

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

22 Dated: 7/9/15

/s/ Mark Reichel  
MARK REICHEL  
Attorney for claimants Dale Garrett, Debora Ann  
Garrett, Damien Anthony Diaz, and Gabriel Joseph  
Diaz  
(Authorized by email)

26 **IT IS SO ORDERED.**

27 Dated: 7/10/2015

/s/ John A. Mendez  
JOHN A. MENDEZ  
United States District Court Judge