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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
15 ACCOUNT 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
21 FROM SCHOOLS FINANCIAL CREDIT
UNION ACCOUNT NUMBER 30746521,

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

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

26 Defendants.
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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. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
5 to April 20, 2015, the time in which the United States is required to file a civil complaint for forfeiture
6 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
7 forfeiture.

8 8. Accordingly, the parties agree that the deadline by which the United States shall be
9 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment
10 alleging that the defendant funds are subject to forfeiture shall be extended to April 20, 2015.

11 Dated: 1/15/15

BENJAMIN B. WAGNER
United States Attorney

12
13 By: /s/ Kevin C. Khasigian
14 KEVIN C. KHASIGIAN
Assistant U.S. Attorney

15
16 Dated: 1/15/15

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

(Authorized by email)

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21 **IT IS SO ORDERED.**

22 Dated: 1/15/2015

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