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10
11 IN THE UNITED STATES DISTRICT COURT
12
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 2:14-mc-00087-MCE-EFB

16 Plaintiff,

17 v.
18 APPROXIMATELY \$63,176.00 in U.S.
19 Currency,
20 Defendant.

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

25

26 It is hereby stipulated by and between the United States of America and potential claimant Lian
27 Chao Xiong (“claimant”), by and through his respective counsel, as follows:

28 1. On or about March 18, 2014, claimant filed a claim in the administrative forfeiture
1 proceeding with the Drug Enforcement Administration with respect to the Approximately \$63,176.00 in
2 U.S. Currency (hereafter “defendant currency”), which were seized on or about January 15, 2014.

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

7 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
8 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant

1 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
2 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
3 parties. That deadline was June 16, 2014.

4 4. By Stipulation and Order filed June 25, 2014, the parties stipulated to extend to August
5 15, 2014, the time in which the United States is required to file a civil complaint for forfeiture against the
6 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
7 forfeiture.

8 5. By Stipulation and Order filed August 15, 2014, the parties stipulated to extend to October
9 14, 2014, the time in which the United States is required to file a civil complaint for forfeiture against the
10 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
11 forfeiture.

12 6. By Stipulation and Order filed October 15, 2014, the parties stipulated to extend to
13 November 13, 2014, the time in which the United States is required to file a civil complaint for forfeiture
14 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
15 subject to forfeiture.

16 7. By Stipulation and Order filed November 19, 2014, the parties stipulated to extend to
17 January 12, 2015, the time in which the United States is required to file a civil complaint for forfeiture
18 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
19 subject to forfeiture.

20 8. By Stipulation and Order filed January 14, 2015, the parties stipulated to extend to March
21 13, 2015, the time in which the United States is required to file a civil complaint for forfeiture against the
22 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
23 forfeiture.

24 9. By Stipulation and Order filed March 11, 2015, the parties stipulated to extend to April
25 13, 2015, the time in which the United States is required to file a civil complaint for forfeiture against the
26 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
27 forfeiture.

28 10. By Stipulation and Order filed April 16, 2015, the parties stipulated to extend to June 12,

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

4 11. By Stipulation and Order filed June 12, 2015, the parties stipulated to extend to August
5 11, 2015, the time in which the United States is required to file a civil complaint for forfeiture against the
6 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
7 forfeiture.

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

12 13. Accordingly, the parties agree that the deadline by which the United States shall be
13 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
14 alleging that the defendant currency is subject to forfeiture shall be extended to November 9, 2015.

15 Dated: 7/20/15 BENJAMIN B. WAGNER
16 United States Attorney

17 By: /s/ Marilee L. Miller
18 MARILEE L. MILLER
Assistant U.S. Attorney

19 Dated: 7/20/15 /s/ Suzan Yee
20 SUZAN YEE
21 Attorney for claimant
Lian Chao Xiong
22 (Authorized by email)

23 IT IS SO ORDERED.

24 Dated: July 28, 2015

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