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

14 UNITED STATES OF AMERICA,

2:14-mc-00089-MCE-EFB

15 Plaintiff,

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

20 v.  
21 HEAVY MACHINERY PERFORMA AKIRA  
22 SEIKI DATE 2000, MODEL V-4A SERIAL  
23 NUMBER: 00VGN305-389,

24 HEAVY MACHINERY PERFORMA AKIRA  
25 SEIKI DATE 1999, MODEL V3 SERIAL  
26 NUMBER: 99VDN180-175, and

27 HEAVY MACHINERY PERFORMA AKIRA  
28 SEIKI DATE 1998, MODEL V2, SERIAL  
29 NUMBER: 98N165-065,

30 Defendants.

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32 It is hereby stipulated by and between the United States of America and potential claimants Dean  
33 Wilson and Lisa Wilson (“claimants”), by and through their respective attorneys, as follows:

34 1. On or about March 25, 2014, claimants filed a claim in the administrative forfeiture  
35 proceeding with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (“ATF”) with respect to the  
36 Heavy Machinery listed above (hereafter “defendant properties”), which were seized on or about October  
37 9, 2013.

38 2. The ATF has sent the written notice of intent to forfeit required by 18 U.S.C. §

1 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a claim to the  
2 defendant properties under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimants has filed a  
3 claim to the defendant properties as required by law in the administrative forfeiture proceeding.

4 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for  
5 forfeiture against the defendant properties and/or to obtain an indictment alleging that the defendant  
6 properties are subject to forfeiture within ninety days after a claim has been filed in the administrative  
7 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the  
8 parties. That deadline was June 23, 2014.

9 4. By Stipulation and Order filed June 25, 2014, the parties stipulated to extend to September  
10 22, 2014, the time in which the United States is required to file a civil complaint for forfeiture against the  
11 defendant properties and/or to obtain an indictment alleging that the defendant properties are subject to  
12 forfeiture.

13 5. By Stipulation and Order filed September 22, 2014, the parties stipulated to extend to  
14 December 22, 2014, the time in which the United States is required to file a civil complaint for forfeiture  
15 against the defendant properties and/or to obtain an indictment alleging that the defendant properties are  
16 subject to forfeiture.

17 6. By Stipulation and Order filed on or about December 12, 2014, the parties stipulated to  
18 extend to March 23, 2015, the time in which the United States is required to file a civil complaint for  
19 forfeiture against the defendant properties and/or to obtain an indictment alleging that the defendant  
20 properties are subject to forfeiture.

21 7. By Stipulation and Order filed on or about March 20, 2015, the parties stipulated to extend  
22 to June 19, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
23 against the defendant properties and/or to obtain an indictment alleging that the defendant properties are  
24 subject to forfeiture.

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

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

Dated: 6/15/15 BENJAMIN B. WAGNER  
United States Attorney

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

Dated: 6/12/15 /s/ Mark Reichel  
Mark Reichel  
Attorney for claimants  
Dean Wilson and Lisa Wilson

(Authorized by email)

## IT IS SO ORDERED.

Dated: June 16, 2015

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