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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 \$165,499.00 IN U.S.
CURRENCY, and

15 APPROXIMATELY \$25,232.67 SEIZED FROM
16 MERRILL LYNCH WEALTH MANAGEMENT
ACCOUNT NUMBER 243-26197,

17 Defendants.

2:14-MC-00090-TLN-AC

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

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19 It is hereby stipulated by and between the United States of America and claimants Jimmy and
20 Elena Rogers (“claimants”), by and through their respective counsel, as follows:

21 1. On or about April 4, 2014, claimants Jimmy and Elena Rogers filed a claim in the
22 administrative forfeiture proceedings, with the with the Drug Enforcement Administration with respect
23 to the Approximately \$165,499.00 in U.S. Currency and the Approximately \$25,232.67 seized from
24 Merrill Lynch Wealth Management Account Number 243-26197 (hereafter “defendant assets”), which
25 were seized on January 9, 2014 and adopted by the Drug Enforcement Administration on February 7,
26 2014.

27 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit
28 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any

1 person to file a claim to the defendant assets under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other
2 than the claimant has filed a claim to the defendant assets as required by law in the administrative
3 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 assets and/or to obtain an indictment alleging that the defendant assets
6 are subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture
7 proceedings, unless the court extends the deadline for good cause shown or by agreement of the parties.
8 That deadline was July 3, 2014.

9 4. By Stipulation and Order filed June 26, 2014, the parties stipulated to extend to October
10 1, 2014, the time in which the United States is required to file a civil complaint for forfeiture against
11 the defendant assets and/or to obtain an indictment alleging that the defendant assets are subject to
12 forfeiture.

13 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an extension
14 to December 30, 2014, the time in which the United States is required to file a civil complaint for
15 forfeiture against the defendant assets and/or to obtain an indictment alleging that the defendant assets
16 are subject to forfeiture.

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1 6. Accordingly, the parties agree that the deadline by which the United States shall be
2 required to file a complaint for forfeiture against the defendant assets and/or to obtain an indictment
3 alleging that the defendant assets are subject to forfeiture shall be extended to December 30, 2014.

4 Dated: 9/26/14

BENJAMIN B. WAGNER
United States Attorney

5
6 /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

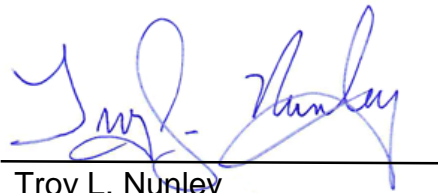
8 Dated: 9/26/14

9 /s/ Thomas A. Johnson
THOMAS A. JOHNSON
Attorney for Claimants
Jimmy and Elena Rogers

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11 Authorized via email

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13 IT IS SO ORDERED.

14 Dated: October 2, 2014

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Troy L. Nunley
United States District Judge