

1 BENJAMIN B. WAGNER  
 United States Attorney  
 2 KEVIN C. KHASIGIAN  
 Assistant U. S. Attorney  
 3 501 I Street, Suite 10-100  
 Sacramento, CA 95814  
 4 Telephone: (916) 554-2700  
 5 Attorneys for the United States

6  
 7  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10  
 11 UNITED STATES OF AMERICA,

2:14-MC-00090-TLN-AC

12 Plaintiff,

13 v.

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

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.  
 18

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

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

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

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

14 5. By Stipulation and Order filed October 3, 2014, the parties stipulated to extend to  
15 December 30, 2014, the time in which the United States is required to file a civil complaint for  
16 forfeiture against the defendant assets and/or to obtain an indictment alleging that the defendant assets  
17 are subject to forfeiture.

18 6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an extension  
19 to March 30, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
20 against the defendant assets and/or to obtain an indictment alleging that the defendant assets are  
21 subject to forfeiture.

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 ///

2 7. Accordingly, the parties agree that the deadline by which the United States shall be  
3 required to file a complaint for forfeiture against the defendant assets and/or to obtain an indictment  
4 alleging that the defendant assets are subject to forfeiture shall be extended to March 30, 2015.

5 Dated: 12/24/14

BENJAMIN B. WAGNER  
United States Attorney

6

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

7

8

9 Dated: 12/24/14

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

10

11

12

(Authorized via phone)

13

14

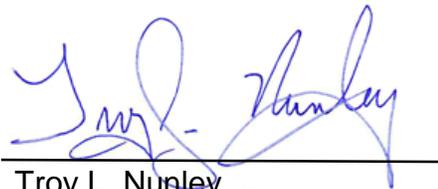
IT IS SO ORDERED.

15

Dated: January 6, 2015

16

17



Troy L. Nunley  
United States District Judge

18

19

20

21

22

23

24

25

26

27

28