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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 \$81,013.41 SEIZED FROM
 JP MORGAN CHASE BANK ACCOUNT
 15 NUMBER 3060031290, HELD IN THE NAME
 OF MANUEL LUNA,
 16 Defendant.
 17

2:14-MC-00091-WBS-AC
 STIPULATION AND ORDER
 EXTENDING TIME FOR FILING
 A COMPLAINT FOR FORFEITURE
 AND/OR TO OBTAIN AN
 INDICTMENT ALLEGING
 FORFEITURE

18 It is hereby stipulated by and between the United States of America and claimant Manuel Luna,
 19 through undersigned counsel, as follows:

- 20 1. On or about April 10, 2014, claimant Manuel Luna filed a claim, in the administrative
 21 forfeiture proceedings, with the Internal Revenue Service with respect to the Approximately
 22 \$81,013.41 seized from JP Morgan Chase Bank Account Number 3060031290, held in the name of
 23 Manuel Luna (hereafter “defendant funds”), which were seized on February 7, 2014.
- 24 2. The Internal Revenue Service has sent the written notice of intent to forfeit required by
 25 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a
 26 claim to the defendant funds under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than the claimant
 27 has filed a claim to the defendant funds as required by law in the administrative forfeiture proceeding.
- 28 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for

1 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant funds
2 are subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture
3 proceedings, unless the court extends the deadline for good cause shown or by agreement of the parties.
4 That deadline was July 9, 2014.

5 4. By Stipulation and Order filed July 3, 2014, the parties stipulated to extend to October 7,
6 2014, the time in which the United States is required to file a civil complaint for forfeiture against the
7 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
8 forfeiture.

9 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement for an extension
10 to December 8, 2014, the time in which the United States is required to file a civil complaint for
11 forfeiture against the defendant funds and/or to obtain an indictment alleging that the defendant funds
12 are subject to forfeiture.

13 6. Accordingly, the parties agree that the deadline by which the United States shall be
14 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment
15 alleging that the defendant funds are subject to forfeiture shall be extended to December 8, 2014.

16 Dated: 10/2/14

BENJAMIN B. WAGNER
United States Attorney


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

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20 Dated: 10/2/14

/s/ William A. Welch
WILLIAM A. WELCH
Attorney for Claimant Manuel Luna
(Authorized via phone 10/2/14)

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23 IT IS SO ORDERED.

24 Dated: October 2, 2014

25 
26 WILLIAM B. SHUBB
27 UNITED STATES DISTRICT JUDGE
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