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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,  
 12 Plaintiff,  
 13 v.  
 14 APPROXIMATELY \$30,000.00 IN U.S.  
 CURRENCY,  
 15 Defendant

2:14-MC-00152-TLN-CKD

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

16  
 17 It is hereby stipulated by and between the United States of America and claimants Juber Flores-  
 18 Suarez (“claimants” or “Flores-Suarez”) and Rafael Martinez-Suarez (“claimants” or “Martinez-  
 19 Suarez”), by and through their respective counsel, as follows:

20 1. On or about September 29, 2014, claimants Juber Flores-Suarez and Rafael Martinez-  
 21 Suarez filed claims, in the administrative forfeiture proceedings, with the Drug Enforcement  
 22 Administration with respect to the Approximately \$30,000.00 in U.S. Currency (hereafter “defendant  
 23 currency”), which was seized on June 9, 2014.

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

1           3.       Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for  
2 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant  
3 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative  
4 forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of  
5 the parties. That deadline was December 26, 2014.

6           4.       By Stipulation and Order filed December 24, 2014, the parties stipulated to extend to  
7 February 24, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
8 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
9 subject to forfeiture.

10          5.       By Stipulation and Order filed February 23, 2015, the parties stipulated to extend to  
11 April 25, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
12 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
13 subject to forfeiture.

14          6.       By Stipulation and Order filed April 20, 2015, the parties stipulated to extend to June 24,  
15 2015, the time in which the United States is required to file a civil complaint for forfeiture against the  
16 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to  
17 forfeiture.

18          7.       By Stipulation and Order filed June 26, 2015, the parties stipulated to extend to  
19 September 22, 2015, the time in which the United States is required to file a civil complaint for  
20 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant  
21 currency is subject to forfeiture.

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

26          9.       By Stipulation and Order filed November 20, 2015, the parties stipulated to extend to  
27 January 19, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
28 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is

1 subject to forfeiture.

2 10. By Stipulation and Order filed January 19, 2016, the parties stipulated to extend to  
3 March 18, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
4 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
5 subject to forfeiture.

6 11. By Stipulation and Order filed March 15, 2016, the parties stipulated to extend to May  
7 17, 2016, the time in which the United States is required to file a civil complaint for forfeiture against  
8 the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to  
9 forfeiture.

10 12. By Stipulation and Order filed May 16, 2016, the parties stipulated to extend to June 16,  
11 2016, the time in which the United States is required to file a civil complaint for forfeiture against the  
12 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to  
13 forfeiture.

14 13. By Stipulation and Order filed July 22, 2016, the parties stipulated to extend to August  
15 15, 2016, the time in which the United States is required to file a civil complaint for forfeiture against  
16 the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to  
17 forfeiture.

18 14. By Stipulation and Order filed August 12, 2016, the parties stipulated to extend to  
19 September 15, 2016, the time in which the United States is required to file a civil complaint for  
20 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant  
21 currency is subject to forfeiture.

22 15. By Stipulation and Order filed September 9, 2016, the parties stipulated to extend to  
23 October 14, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
24 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
25 subject to forfeiture.

26 16. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further  
27 extend to January 12, 2017, the time in which the United States is required to file a civil complaint for  
28 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant

1 currency is subject to forfeiture.

2 17. 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 currency and/or to obtain an indictment  
4 alleging that the defendant currency is subject to forfeiture shall be extended to January 12, 2017.

5 Dated: 10/12/16

PHILLIP A. TALBERT  
Acting United States Attorney

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

8  
9 Dated: 10/12/16

10 /s/ Brett A. Purtzer  
BRETT A. PURTZER  
Attorney for Claimants Juber Flores-Suarez &  
11 Rafael Martinez-Suarez

12 Authorized via phone

13 IT IS SO ORDERED.

14 Dated: October 17, 2016

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16   
17 Troy L. Nunley  
United States District Judge