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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 \$180,340.00 IN U.S.  
CURRENCY,

15 APPROXIMATELY \$9,900.00 IN U.S.  
16 CURRENCY, and

17 APPROXIMATELY \$22,792.04 SEIZED  
FROM EL DORADO SAVINGS BANK  
18 ACCOUNT NUMBER 13058966

19 Defendants.  
20

2:15-MC-00012-WBS-AC

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

21 It is hereby stipulated by and between the United States of America and claimant  
22 Debbie Kay Cherms (“claimant”), by and through their respective counsel, as follows:

23 1. On or about December 4, 2014, claimant Debbie Kay Cherms filed claims, in  
24 the administrative forfeiture proceedings, with the Drug Enforcement Administration  
25 with respect to the Approximately \$180,340.00 in U.S. Currency, Approximately  
26 \$9,900.00 in U.S. Currency, and Approximately \$22,792.04 seized from El Dorado  
27 Savings Bank Account Number 13058966 (collectively “defendant assets”), which were  
28 seized on June 11, 2014.

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

6           3.     Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a  
7 complaint for forfeiture against the defendant currency and/or to obtain an indictment  
8 alleging that the defendant currency is subject to forfeiture within ninety days after a  
9 claim has been filed in the administrative forfeiture proceedings, unless the court extends  
10 the deadline for good cause shown or by agreement of the parties. That deadline was  
11 March 4, 2015.

12           4.     By Stipulation and Order filed February 25, 2015, the parties stipulated to  
13 extend to May 4, 2015, the time in which the United States is required to file a civil  
14 complaint for forfeiture against the defendant currency and/or to obtain an indictment  
15 alleging that the defendant currency is subject to forfeiture.

16           5.     By Stipulation and Order filed May 4, 2015, the parties stipulated to extend  
17 to August 3, 2015, the time in which the United States is required to file a civil complaint  
18 for forfeiture against the defendant currency and/or to obtain an indictment alleging that  
19 the defendant currency is subject to forfeiture.

20           6.     As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to  
21 further extend to November 2, 2015, the time in which the United States is required to  
22 file a civil complaint for forfeiture against the defendant currency and/or to obtain an  
23 indictment alleging that the defendant currency is subject to forfeiture.

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

5 Dated: 7/21/15

BENJAMIN B. WAGNER  
United States Attorney

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

9 Dated: 7/21/15

10           /s/ Donald H. Heller  
11           DONALD H. HELLER  
Attorney for Claimant  
Debbie Kay Cherms

12           Authorized by email

13 IT IS SO ORDERED.

14 Dated: July 21, 2015

15           

16           WILLIAM B. SHUBB  
17           UNITED STATES DISTRICT JUDGE