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

10 UNITED STATES OF AMERICA,  
 11 Plaintiff,

12 v.

13 APPROXIMATELY \$84,359.00 IN U.S.  
 CURRENCY,  
 14 2013 CHEVROLET CAMARO SS, LICENSE  
 15 NUMBER 7GXH521, VIN: 2G1FK3DJ7D9224539,  
 16 2009 HARLEY DAVIDSON, LICENSE NUMBER  
 21P6911, VIN: 1HD1GY4319K311293,  
 17 2007 CHEVROLET AVALANCHE CREW CAB  
 18 1500, LICENSE NUMBER 10031T1, VIN:  
 3GNEC12017G225993, AND  
 19 2004 CADILLAC XLR, LICENSE NUMBER  
 20 7GXH653, VIN: 1G6YV34A345601665,  
 21 Defendants.

2:15-mc-00036-MCE-DAD

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

22  
 23 It is hereby stipulated by and between the United States of America and potential claimant David  
 24 Allen Smith (“claimant”), by and through their respective counsel, as follows:

25 1. On or about February 17, 2015, the Citrus Heights Police Department seized the above-  
 26 referenced defendant properties<sup>1</sup> as part of a joint investigation with the Bureau of Alcohol, Tobacco,

27 <sup>1</sup> The United States learned that a total of \$83,221.35 was seized from David Smith, rather than the \$84,359.00 identified in  
 28 the caption. In addition, the United States decided not to file against the 2013 Chevrolet Camaro SS, 2009 Harley Davidson,  
 and 2004 Cadillac XLR identified in the caption.

1 Firearms and Explosives.

2           2.       Under 18 U.S.C. §§ 983(a)(1)(A)(iv) and 983 (a)(3)(A), the United States is required to  
3 send notice to potential claimants, file a complaint for forfeiture against the defendant properties, and/or  
4 obtain an indictment alleging that the defendant properties are subject to forfeiture within ninety days of  
5 seizure by the State or local law enforcement agency, unless the court extends the deadline for good  
6 cause shown or by agreement of the parties. That deadline was May 18, 2015.

7           3.       By Stipulation and Order filed April 29, 2015, the parties stipulated to extend to July 17,  
8 2015, the time in which the United States is required to file a civil complaint for forfeiture against the  
9 defendant properties and/or to obtain an indictment alleging that the defendant properties are subject to  
10 forfeiture.

11           4.       By Stipulation and Order filed July 29, 2015, the parties stipulated to extend to October  
12 15, 2015, the time in which the United States is required to file a civil complaint for forfeiture against the  
13 defendant properties and/or to obtain an indictment alleging that the defendant properties are subject to  
14 forfeiture.

15           5.       By Stipulation and Order filed October 21, 2015, the parties stipulated to extend to  
16 December 14, 2015, the time in which the United States is required to file a civil complaint for forfeiture  
17 against the defendant properties and/or to obtain an indictment alleging that the defendant properties are  
18 subject to forfeiture.

19           6.       By Stipulation and Order filed December 23, 2015, the parties stipulated to extend to  
20 March 14, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
21 against the defendant properties and/or to obtain an indictment alleging that the defendant properties are  
22 subject to forfeiture.

23           7.       By Stipulation and Order filed March 16, 2016, the parties stipulated to extend to June 13,  
24 2016, the time in which the United States is required to file a civil complaint for forfeiture against the  
25 defendant properties and/or to obtain an indictment alleging that the defendant properties are subject to  
26 forfeiture.

27           8.       By Stipulation and Order filed June 14, 2016, the parties stipulated to extend to September  
28 12, 2016, the time in which the United States is required to file a civil complaint for forfeiture against the

1 defendant properties and/or to obtain an indictment alleging that the defendant properties are subject to  
2 forfeiture.

3 9. By Stipulation and Order filed September 14, 2016, the parties stipulated to extend to  
4 November 14, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
5 against the defendant properties and/or to obtain an indictment alleging that the defendant properties are  
6 subject to forfeiture.

7 10. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend  
8 to February 13, 2017, the time in which the United States is required to file a civil complaint for  
9 forfeiture against the defendant properties and/or to obtain an indictment alleging that the defendant  
10 properties are subject to forfeiture.

11 11. Accordingly, the parties agree that the deadline by which the United States shall be  
12 required to file a complaint for forfeiture against the defendant properties and/or to obtain an indictment  
13 alleging that the defendant properties are subject to forfeiture shall be extended to February 13, 2017.

14 Dated: 11/9/16

PHILLIP A. TALBERT  
Acting United States Attorney

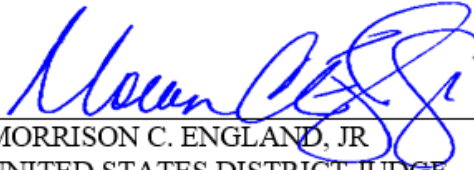
15  
16 By: /s/ Kevin C. Khasigian  
KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

17 Dated: 11/9/16

/s/ Linda Parisi  
LINDA PARISI  
Attorney for potential claimant  
David Allen Smith  
(Authorized by phone)

21 **IT IS SO ORDERED.**

22 Dated: November 10, 2016

23  
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25 MORRISON C. ENGLAND, JR.  
26 UNITED STATES DISTRICT JUDGE  
27  
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