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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 \$22,769.00 IN U.S.
 CURRENCY,
 15 Defendant.
 16

2:15-MC-00111-MCE-DAD
 STIPULATION AND ORDER EXTENDING TIME
 FOR FILING A COMPLAINT FOR FORFEITURE
 AND/OR TO OBTAIN AN INDICTMENT
 ALLEGING FORFEITURE

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 18 It is hereby stipulated by and between the United States of America and potential claimant Huey
 19 Kiet Nguyen (“claimant”), by and through their respective counsel, as follows:

20 1. On or about July 20, 2015, claimant filed a claim in the administrative forfeiture
 21 proceeding with the Drug Enforcement Administration with respect to the Approximately \$22,769.00 in
 22 U.S. Currency (hereafter “defendant currency”), which was seized on or about April 15, 2015.

23 2. The Drug Enforcement Administration has sent the written notice of intent to forfeit
 24 required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any
 25 person to file a claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other
 26 than claimant has filed a claim to the defendant currency as required by law in the administrative
 27 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 currency and/or to obtain an indictment alleging that the defendant
2 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
3 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
4 parties. That deadline is October 16, 2015.

5 4. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to
6 December 15, 2015, the time in which the United States is required to file a civil complaint for forfeiture
7 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
8 subject to forfeiture.

9 5. Accordingly, the parties agree that the deadline by which the United States shall be
10 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
11 alleging that the defendant currency is subject to forfeiture shall be extended to December 15, 2015.

12 Dated: 10/2/15

BENJAMIN B. WAGNER
United States Attorney

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15 By: /s/ Marilee L. Miller
MARILEE L. MILLER
Assistant U.S. Attorney


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18 Dated: 10/2/15

/s/ Victor S. Haltom
VICTOR S. HALTOM
Attorney for claimant Huey Kiet Nguyen

(Authorized by phone)

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21 **IT IS SO ORDERED.**

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23 Dated: October 9, 2015

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MORRISON C. ENGLAND, JR., CHIEF JUDGE
27 UNITED STATES DISTRICT COURT
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