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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-CKD

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 was October 16, 2015.

5 4. By Stipulation and Order filed October 13, 2015, the parties stipulated 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. By Stipulation and Order filed December 15, 2015, the parties stipulated to extend to
10 February 12, 2016, the time in which the United States is required to file a civil complaint for forfeiture
11 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
12 subject to forfeiture.

13 6. By Stipulation and Order filed February 16, 2016, the parties stipulated to extend to April
14 12, 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
15 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
16 forfeiture.

17 7. By Stipulation and Order filed April 13, 2016, the parties stipulated to extend to May 12,
18 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
19 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
20 forfeiture.

21 8. By Stipulation and Order filed May 16, 2016, the parties stipulated to extend to August
22 10, 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
23 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
24 forfeiture.

25 9. By Stipulation and Order filed August 11, 2016, the parties stipulated to extend to
26 November 8, 2016, the time in which the United States is required to file a civil complaint for forfeiture
27 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
28 subject to forfeiture.

1 10. By Stipulation and Order filed November 14, 2016, the parties stipulated to extend to
2 January 9, 2017, the time in which the United States is required to file a civil complaint for forfeiture
3 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
4 subject to forfeiture.

5 11. By Stipulation and Order filed January 19, 2017, the parties stipulated to extend to
6 February 8, 2017, 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 12. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
10 to March 10, 2017, the time in which the United States is required to file a civil complaint for forfeiture
11 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
12 subject to forfeiture.

13 13. 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 currency and/or to obtain an indictment
15 alleging that the defendant currency is subject to forfeiture shall be extended to March 10, 2017.

16 Dated: 1/27/17

PHILLIP A. TALBERT
United States Attorney

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

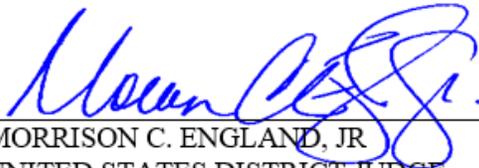
20
21 Dated: 1/27/17

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

(Authorized by email)

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25 **IT IS SO ORDERED.**

Dated: February 2, 2017

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28 MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE