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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.

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

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

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

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

26 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
27 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
28

1 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
2 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
3 parties. That deadline was October 16, 2015.

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

8 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
9 to February 12, 2016, the time in which the United States is required to file a civil complaint for
10 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
11 currency is subject to forfeiture.

12 6. Accordingly, the parties agree that the deadline by which the United States shall be
13 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
14 alleging that the defendant currency is subject to forfeiture shall be extended to February 12, 2016.

15 Dated: 12/11/15

BENJAMIN B. WAGNER
United States Attorney

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


19 Dated: 12/10/15

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

21 (Authorized by email)

22 **IT IS SO ORDERED.**

23 Dated: December 15, 2015

24 
25 MORRISON C. ENGLAND, JR., CHIEF JUDGE
26 UNITED STATES DISTRICT COURT