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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 \$74,200.00 IN U.S.
CURRENCY,
15 Defendant.
16

2:16-MC-00058-WBS-AC

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 Eric
19 Rogers (“claimant”), by and through their respective counsel, as follows:

20 1. On or about December 29, 2015, claimant filed a claim in the administrative forfeiture
21 proceeding with the Drug Enforcement Administration with respect to the Approximately \$74,200.00 in
22 U.S. Currency (hereafter “defendant currency”), which was seized on or about September 3, 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

1 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
2 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
3 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative
4 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
5 parties. That deadline was March 28, 2016.

6 4. By Stipulation and Order filed March 24, 2016, the parties stipulated to extend to April
7 27, 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
8 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
9 forfeiture.

10 5. By Stipulation and Order filed April 29, 2016, the parties stipulated to extend to May 27,
11 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
12 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
13 forfeiture.

14 6. By Stipulation and Order filed May 25, 2016, the parties stipulated to extend to June 27,
15 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
17 forfeiture.

18 7. By Stipulation and Order filed June 24, 2016, the parties stipulated to extend to July 27,
19 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
20 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
21 forfeiture.

22 8. By Stipulation and Order filed July 27, 2016, the parties stipulated to extend to August 26,
23 2016, the time in which the United States is required to file a civil complaint for forfeiture against the
24 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
25 forfeiture.

26 9. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
27 to November 23, 2016, the time in which the United States is required to file a civil complaint for
28 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant

1 currency is subject to forfeiture.

2 10. Accordingly, the parties agree that the deadline by which the United States shall be
3 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
4 alleging that the defendant currency is subject to forfeiture shall be extended to November 23, 2016.

5 Dated: 8/25/16

PHILLIP A. TALBERT
Acting United States Attorney

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

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10 Dated: 8/25/16

/s/ Joseph Shemaria
11 JOSEPH SHEMARIA
Attorney for potential claimant
12 Eric Rogers
(Authorized by phone)

13
14 **IT IS SO ORDERED.**

15 Dated: August 26, 2016



16 WILLIAM B. SHUBB
17 UNITED STATES DISTRICT JUDGE