

1 PHILLIP A. TALBERT
United States Attorney
2 KEVIN C. KHASIGIAN
Assistant U. S. Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700

5 Attorneys for the United States

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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 \$30,000.00 IN U.S.
CURRENCY,

15 APPROXIMATELY \$165,172.25 IN NET
16 PROCEEDS FROM THE SALE OF REAL
17 PROPERTY LOCATED AT 16749 FORTY
NINER TRAIL, LATHROP,
CALIFORNIA, APN: 191-370-530-000,

18 Defendants.
19

2:16-MC-00139-WBS-AC

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

20 It is hereby stipulated by and between the United States of America and potential claimant
21 Timothy Chapin (“claimant”), by and through their respective counsel, as follows:

22 1. On or about May 10, 2016, the Federal Bureau of Investigation (“FBI”) seized the
23 defendant Approximately \$30,000.00 in U.S. Currency pursuant to a Federal seizure warrant. On or
24 about May 27, 2016, the FBI seized the defendant Approximately \$165,172.25 in net proceeds from the
25 sale of real property located at 16749 Forty Niner Trail, Lathrop, California, APN: 191-370-530-000,
26 pursuant to a Federal seizure warrant (hereafter collectively “defendant funds”).

27 2. Under 18 U.S.C. §§ 983(a)(1)(A)(i)-(iv), and 983(a)(3)(A), the United States is required to
28 send notice to potential claimants, file a complaint for forfeiture against the defendant funds, or obtain an

1 indictment alleging that the defendant funds are subject to forfeiture within ninety days of seizure, unless
2 the court extends the deadline for good cause shown or by agreement of the parties. That deadline was
3 August 8, 2016 for the Approximately \$30,000.00 in U.S. Currency and August 25, 2016 for the
4 Approximately \$165,172.25 in net proceeds.

5 3. By Stipulation and Order filed August 9, 2016, the parties stipulated to extend to
6 November 7, 2016, the time in which the United States is required to file a civil complaint for forfeiture
7 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
8 forfeiture.

9 4. By Stipulation and Order filed November 8, 2016, the parties stipulated to extend to
10 February 6, 2017, the time in which the United States is required to file a civil complaint for forfeiture
11 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
12 forfeiture.

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

17 6. Accordingly, the parties agree that the deadline by which the United States shall be

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1 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment
2 alleging that the defendant funds are subject to forfeiture shall be extended to May 8, 2017.

3 Dated: 2/2/17

PHILLIP A. TALBERT
United States Attorney

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5 By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
6 Assistant U.S. Attorney

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8 Dated: 2/1/17

/s/ Sean Riordan
SEAN RIORDAN
9 Attorney for claimant Timothy Chapin

10 (Authorized by email)

11
12 **IT IS SO ORDERED.**

13 Dated: February 2, 2017

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15 WILLIAM B. SHUBB
16 UNITED STATES DISTRICT JUDGE