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 6 7 IN THE UNITED STATES DISTRICT COURT 8 EASTERN DISTRICT OF CALIFORNIA 9 10 11 UNITED STATES OF AMERICA, 2:16-MC-00154-KJM-KJN 12 Plaintiff. STIPULATION AND ORDER EXTENDING 13 v. TIME FOR FILING A COMPLAINT FOR FORFEITURE AND/OR TO OBTAIN AN APPROXIMATELY \$38,240.00 IN U.S. 14 INDICTMENT ALLEGING FORFEITURE CURRENCY, 15 Defendant. 16 17 It is hereby stipulated by and between the United States of America and potential claimant Hoan 18 Tran ("Tran"), appearing in *propria persona*, as follows: 19 1. On or about June 21, 2016, potential claimant Tran filed a claim in the administrative 20 forfeiture proceedings with the United States Postal Inspection Service with respect to the 21 Approximately \$38,240.00 in U.S. Currency. (hereafter "defendant currency"), which was seized on 22 April 14, 2016. 23 2. The United States Postal Inspection Service 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 26 other than the Tran 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 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture proceedings, unless the court extends the deadline for good cause shown or by agreement of the parties. That deadline was September 19, 2016.
- 4. By Stipulation and Order filed September 23, 2016, the parties stipulated to extend to December 19, 2016, the time in which the United States is required to file a civil complaint for forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to forfeiture.
- 5. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to January 18, 2017, the time in which the United States is required to file a civil complaint for forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to forfeiture.
- 6. Accordingly, the parties agree that the deadline by which the United States shall be required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to forfeiture shall be extended to January 18, 2017.

Dated: 12/13/2016 PHILLIP A. TALBERT United States Attorney

/s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

Dated: 12/12/16 /s/ Hoan Tran HOAN TRAN

Claimant appearing in *Propria Persona* (Original signature retained by attorney)

IT IS SO ORDERED.

Dated: December 20, 2016

UNITED STATES DISTRICT JUDGE