

1 PHILLIP A. TALBERT  
 Acting 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  
 8 IN THE UNITED STATES DISTRICT COURT  
 9 EASTERN DISTRICT OF CALIFORNIA

10  
 11 UNITED STATES OF AMERICA,  
 12 Plaintiff,  
 13 v.  
 14 APPROXIMATELY \$16,500.00 IN U.S.  
 CURRENCY,  
 15 Defendant.  
 16

2:16-MC-00163-KJM-KJN

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

17 It is hereby stipulated by and between the United States of America and claimant Michael  
 18 Henderson (“claimant” or “Henderson”), by and through their respective counsel, as follows:

19 1. On or about July 8, 2016, claimant Henderson filed a claim in the administrative  
 20 forfeiture proceedings with the United States Postal Inspection Service with respect to the  
 21 Approximately \$16,500.00 in U.S. Currency. (hereafter “defendant currency”), which was seized on  
 22 April 6, 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 claimant has filed a claim to the defendant currency as required by law in the  
 27 administrative 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 proceedings, unless the court extends the deadline for good cause shown or by agreement of  
5 the parties. That deadline is October 6, 2016.

6           4.       As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to extend to  
7 November 7, 2016, the time in which the United States is required to file a civil complaint for forfeiture  
8 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is  
9 subject to forfeiture.

10          5.       Accordingly, the parties agree that the deadline by which the United States shall be  
11 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment  
12 alleging that the defendant currency is subject to forfeiture shall be extended to November 7, 2016.

13 Dated:     10/5/2016

PHILLIP A. TALBERT  
Acting United States Attorney

14  
15                     /s/ Kevin C. Khasigian  
16                     KEVIN C. KHASIGIAN  
Assistant U.S. Attorney

17  
18 Dated:     10/5/2016

19                     /s/ Jacek W. Lentz  
20                     JACEK W. LENTZ  
Attorney for Claimant  
Michael Henderson

(Authorized via email)

21                     IT IS SO ORDERED.

22 Dated:     Nunc pro tunc to October 5, 2016

23  
24                                       
25                                     \_\_\_\_\_  
UNITED STATES DISTRICT JUDGE