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Attorneys for the United States

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

APPROXIMATELY \$16,500.00 IN U.S.
CURRENCY,

Defendant.

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

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

1. On or about July 8, 2016, claimant Henderson filed a claim in the administrative forfeiture proceedings with the United States Postal Inspection Service with respect to the Approximately \$16,500.00 in U.S. Currency. (hereafter “defendant currency”), which was seized on April 6, 2016.

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

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 was October 6, 2016.

6 4. By Stipulation and Order filed October 13, 2016, the parties stipulated 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. By Stipulation and Order filed November 9, 2016, the parties stipulated to extend to
11 December 7, 2016, the time in which the United States is required to file a civil complaint for forfeiture
12 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
13 subject to forfeiture.

14 6. By Stipulation and Order filed December 7, 2016, the parties stipulated to extend to
15 January 6, 2017, the time in which the United States is required to file a civil complaint for forfeiture
16 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
17 subject to forfeiture.

18 7. By Stipulation and Order filed January 5, 2017, the parties stipulated to extend to
19 February 6, 2017, the time in which the United States is required to file a civil complaint for forfeiture
20 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
21 subject to forfeiture.

22 8. By Stipulation and Order filed February 8, 2017, the parties stipulated to extend to April
23 6, 2017, the time in which the United States is required to file a civil complaint for forfeiture against
24 the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
25 forfeiture.

26 9. By Stipulation and Order filed April 6, 2017, the parties stipulated to extend to June 5,
27 2017, the time in which the United States is required to file a civil complaint for forfeiture against the
28 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to

1 forfeiture.

2 10. By Stipulation and Order filed June 7, 2017, the parties stipulated to extend to August 4,
3 2017, the time in which the United States is required to file a civil complaint for forfeiture against the
4 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
5 forfeiture.

6 11. By Stipulation and Order filed August 1, 2017, the parties stipulated to extend to
7 September 5, 2017, 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 12. By Stipulation and Order filed September 11, 2017, the parties stipulated to extend to
11 October 5, 2017, the time in which the United States is required to file a civil complaint for forfeiture
12 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
13 subject to forfeiture.

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

18 14. Accordingly, the parties agree that the deadline by which the United States shall be
19 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
20 alleging that the defendant currency is subject to forfeiture shall be extended to December 5, 2017.

21 Dated: 10/4/2017

PHILLIP A. TALBERT
United States Attorney

22
23 /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant U.S. Attorney

24
25 Dated: 10/4/2017

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

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27 (Authorized via email)

1 IT IS SO ORDERED. Considering this is now the tenth extension request, the parties are
2 warned that no further extension will be granted absent good cause and specific detail warranting
3 further delays.

4 Dated: October 6, 2017.

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8 UNITED STATES DISTRICT JUDGE
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