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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 \$745,355.00 IN U.S.
 CURRENCY,
 15 Defendant.

2:17-CV-01102-KJM-DB

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 17
 18 STIPULATION TO STAY FURTHER
 19 PROCEEDINGS AND ORDER

20 The United States and Claimant Jamie Richardson (the “claimant”) hereby stipulate that a stay is
 21 necessary in the above-entitled action, and request that the Court enter an order staying all further
 22 proceedings until the resolution of the related criminal case against Jaime Richardson regarding drug
 23 trafficking.

24 1. The claimant has filed a claim in this *in rem* forfeiture action, asserting an ownership and
 25 possessory interest in, and the right to exercise dominion and control over, all of the defendant
 26 Approximately \$745,355.00 in U.S. Currency (“defendant currency”). ECF No. 12.

27 2. The stay is requested pursuant to 18 U.S.C. §§ 981(g)(1), 981(g)(2), and 21 U.S.C. §
 28 881(i). The United States contends that the defendant currency constitutes money furnished and intended
 to be furnished in exchange for a controlled substance or listed chemical, constituted proceeds traceable
 to such an exchange and was used and intended to be used to commit or facilitate a violation of 21 U.S.C.

1 §§ 841 *et seq.* Claimant denies these allegations.

2 3. To date, several individuals have been charged with federal crimes related to marijuana
3 manufacturing and distribution in United States. v. Jamie Richardson, et al., 2:17-CR-00044-KJM. It is
4 the United States' position that the statute of limitations has not expired on potential criminal charges
5 relating to the drug trafficking involving the defendant currency. Nevertheless, the United States intends
6 to depose the claimant regarding his claim of ownership of the defendant currency, as well as his
7 knowledge of drug trafficking. If discovery proceeds at this time, claimant will be placed in the difficult
8 position of either invoking his Fifth Amendment rights against self-incrimination and losing the ability to
9 pursue his claim to the defendant currency, or waiving his Fifth Amendment right and submitting to a
10 deposition and potentially incriminating himself. If he invokes his Fifth Amendment right, the United
11 States will be deprived of the ability to explore the factual basis for the claim he filed with this court.

12 4. In addition, claimant intends to depose, among others, the agents involved with this
13 investigation, including but not limited to, the agents with the Drug Enforcement Administration.
14 Allowing depositions of the law enforcement officers at this time would adversely impact the federal
15 prosecution.

16 5. The parties recognize that proceeding with these actions at this time has potential adverse
17 effects on the investigation of the underlying criminal conduct and/or upon the claimant's ability to assert
18 any defenses to forfeiture. For these reasons, the parties jointly request that these matters be stayed until
19 the conclusion of the related criminal case. At that time the parties will advise the court of the status of
20 the criminal investigation, if any, and will advise the court whether a further stay is necessary.

21 Dated: 8/3/17

PHILLIP A. TALBERT
United States Attorney

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

24
25
26 Dated: 8/7/17

/s/ Johnny L. Griffin, III
JOHNNY L. GRIFFIN, III
Attorney for Claimant Jamie Richardson

(Authorized by email)

ORDER

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For the reasons set forth above, this matter is stayed pursuant to 18 U.S.C. §§ 981(g)(1), 981(g)(2), and 21 U.S.C. § 881(i) until the conclusion of the related criminal case, at which time the parties will advise the Court whether a further stay is necessary.

IT IS SO ORDERED.

DATED: August 11, 2017.


UNITED STATES DISTRICT JUDGE