

1 McGREGOR W. SCOTT
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 \$27,999.00 IN U.S.
CURRENCY,

15 Defendant.

2:17-MC-00165-TLN-DB

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

16
17 It is hereby stipulated by and between the United States of America and potential claimant
18 Abricka Smith (“claimant”), by and through their respective counsel, as follows:

19 1. On or about August 7, 2017, claimant filed a claim in the administrative forfeiture
20 proceeding with the U.S. Postal Inspection Service with respect to the Approximately \$27,999.00 in U.S.
21 Currency (hereafter “defendant currency”), which was seized on May 17, 2017.

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

26 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
27 forfeiture against the defendant currency and/or to obtain an indictment alleging that the defendant
28 currency is subject to forfeiture within ninety days after a claim has been filed in the administrative

1 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
2 parties. That deadline was November 3, 2017.

3 4. By Stipulation and Order filed November 7, 2017, the parties stipulated to extend to
4 January 2, 2018, the time in which the United States is required to file a civil complaint for forfeiture
5 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
6 subject to forfeiture.

7 5. By Stipulation and Order filed January 2, 2018, the parties stipulated to extend to
8 February 1, 2018, the time in which the United States is required to file a civil complaint for forfeiture
9 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
10 subject to forfeiture.

11 6. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
12 to March 2, 2018, the time in which the United States is required to file a civil complaint for forfeiture
13 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is
14 subject to forfeiture.

15 ///

16 ///

17 ///

18 ///

19 ///

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 7. Accordingly, the parties agree that the deadline by which the United States shall be
2 required to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment
3 alleging that the defendant currency is subject to forfeiture shall be extended to March 2, 2018.

4 Dated: 1/10/18

McGREGOR W. SCOTT
United States Attorney

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

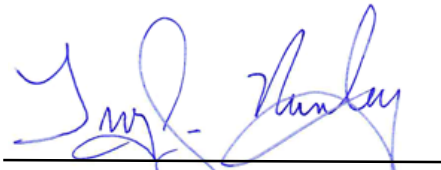
7
8
9 Dated: 1/10/18

/s/ Peter S. Herrick
PETER S. HERRICK
Attorney for potential claimant
Abricka Smith

(Signature authorized by phone)

10
11
12
13 **IT IS SO ORDERED.**

14 Dated: January 11, 2018

15
16
17
18 
Troy L. Nunley
United States District Judge