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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 \$9,000.00 IN U.S.
CURRENCY, and

15 APPROXIMATELY \$8,980.00 IN U.S.
16 CURRENCY,

17 Defendant.

2:19-MC-00099-MCE-EFB

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

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19 It is hereby stipulated by and between the United States of America and potential claimant Dustin
20 Forkell (“claimant”), by and through their respective counsel, as follows:

21 1. On or about April 4, 2019, claimant filed claims in the administrative forfeiture proceeding
22 with the U.S. Postal Inspection Service with respect to the Approximately \$9,000.00 in U.S. Currency and
23 Approximately \$8,980.00 in U.S. Currency (hereafter “defendant currency”), which were seized on
24 February 7, 2019.

25 2. The U.S. Postal Inspection Service has sent the written notice of intent to forfeit required
26 by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any person to file a
27 claim to the defendant currency under 18 U.S.C. § 983(a)(2)(A)-(E), and no person other than claimant has
28 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 currency
3 is subject to forfeiture within ninety days after a claim has been filed in the administrative forfeiture
4 proceeding, unless the court extends the deadline for good cause shown or by agreement of the parties.
5 That deadline was July 3, 2019.

6 4. By Stipulation and Order filed July 3, 2019, the parties stipulated to extend to October 1,
7 2019, the time in which the United States is required to file a civil complaint for forfeiture against the
8 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
9 forfeiture.

10 5. By Stipulation and Order filed September 26, 2019, the parties stipulated to extend to
11 December 30, 2019, 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 subject
13 to forfeiture.

14 6. By Stipulation and Order filed January 6, 2020, the parties stipulated to extend to February
15 28, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
17 forfeiture.

18 7. By Stipulation and Order filed March 5, 2020, the parties stipulated to extend to April 28,
19 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
20 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
21 forfeiture.

22 8. By Stipulation and Order filed April 29, 2020, the parties stipulated to extend to July 27,
23 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
24 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 July 28, 2020, the parties stipulated to extend to September
27 25, 2020, 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 September 30, 2020, the parties stipulated to extend to
3 December 21, 2020, the time in which the United States is required to file a civil complaint for forfeiture
4 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject
5 to forfeiture.

6 11. By Stipulation and Order filed December 16, 2020, the parties stipulated to extend to
7 February 19, 2021, 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 subject
9 to forfeiture.

10 12. By Stipulation and Order filed February 12, 2021, the parties stipulated to extend to April
11 20, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
12 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
13 forfeiture.

14 13. By Stipulation and Order filed April 16, 2021, the parties stipulated to extend to June 18,
15 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
17 forfeiture.

18 14. By Stipulation and Order filed June 14, 2021, the parties stipulated to extend to August 17,
19 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
20 defendant currency and/or to obtain an indictment alleging that the defendant currency is subject to
21 forfeiture.

22 15. By Stipulation and Order filed August 16, 2021, the parties stipulated to extend to
23 November 15, 2021, the time in which the United States is required to file a civil complaint for forfeiture
24 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject
25 to forfeiture.

26 16. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend to
27 February 15, 2022, the time in which the United States is required to file a civil complaint for forfeiture
28 against the defendant currency and/or to obtain an indictment alleging that the defendant currency is subject

1 to forfeiture.

2 16. Accordingly, the parties agree that the deadline by which the United States shall be required
3 to file a complaint for forfeiture against the defendant currency and/or to obtain an indictment alleging that
4 the defendant currency is subject to forfeiture shall be extended to February 15, 2022.

5 Dated: 11/12/21

PHILLIP A. TALBERT
Acting United States Attorney

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By: /s/ Kevin C. Khasigian
KEVIN C. KHASIGIAN
Assistant United States Attorney

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9 Dated: 11/11/21

/s/ Mark J. Reichel
MARK J. REICHEL
Attorney for potential claimant
Dustin Forkell

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(Signature authorized by email)

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14 IT IS SO ORDERED.

15 Dated: November 18, 2021

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MORRISON C. ENGLAND, JR.
SENIOR UNITED STATES DISTRICT JUDGE

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