

1 PHILLIP A. TALBERT
2 Acting United States Attorney
3 KEVIN C. KHASIGIAN
4 Assistant U. S. Attorney
5 501 I Street, Suite 10-100
6 Sacramento, CA 95814
7 Telephone: (916) 554-2700

8 Attorneys for the United States

9
10
11 IN THE UNITED STATES DISTRICT COURT
12
13 EASTERN DISTRICT OF CALIFORNIA

14 UNITED STATES OF AMERICA,

15 2:20-MC-00002-TLN-KJN

16 Plaintiff,

17 v.

18 APPROXIMATELY \$827.04 SEIZED FROM
19 PAYPAL ACCOUNT ASSIGNED TO EMAIL
20 GABRIELALVA92@GMAIL.COM,

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

25 APPROXIMATELY \$8,975.10 SEIZED FROM
26 DISCOVER BANK ACCOUNT NUMBER
27 7016627348 IN THE NAME OF GABRIEL ALVA,

28 APPROXIMATELY \$885.10 SEIZED FROM
29 ALLY BANK ACCOUNT NUMBER 1069206298
30 IN THE NAME OF CATHERINE STUCKEY,

31 APPROXIMATELY \$4,984.84 SEIZED FROM
32 CITI BANK ACCOUNT NUMBER 42011053883
33 IN THE NAME OF CALIFITT, LLC,

34 APPROXIMATELY \$8,686.40 SEIZED FROM
35 CITI BANK ACCOUNT NUMBER 206269441 IN
36 THE NAME OF CALIFITT, LLC, AND

37 APPROXIMATELY \$445.98 SEIZED FROM
38 WELLS FARGO BANK ACCOUNT NUMBER
39 2018552089 IN THE NAME OF CATHERINE
40 STUCKEY,

41 Defendants.

1 It is hereby stipulated by and between the United States of America and potential claimant
2 Gabriel Alva (“claimant”), by and through their respective counsel, as follows:

3 1. On or about August 6, 7, 9, and 12, 2019, the Homeland Security Investigation (“HSI”)
4 seized the above-referenced defendant funds pursuant to Federal seizure warrants (hereafter collectively
5 “defendant funds”)¹.

6 2. Under 18 U.S.C. §§ 983(a)(1)(A)(i)-(iv), and 983(a)(3)(A), the United States is required to
7 send notice to potential claimants, file a complaint for forfeiture against the defendant funds, or obtain an
8 indictment alleging that the defendant funds are subject to forfeiture within one hundred and fifty days of
9 seizure, unless the court extends the deadline for good cause shown or by agreement of the parties. That
10 deadline was January 3, 2020.

11 3. By Stipulation and Order filed January 6, 2020, the parties stipulated to extend to March
12 3, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
13 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

14 4. By Stipulation and Order filed March 3, 2020, the parties stipulated to extend to June 1,
15 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
16 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

17 5. By Stipulation and Order filed May 27, 2020, the parties stipulated to extend to July 31,
18 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
19 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

20 6. By Stipulation and Order filed July 21, 2020, the parties stipulated to extend to October
21 29, 2020, the time in which the United States is required to file a civil complaint for forfeiture against the
22 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

23 7. By Stipulation and Order filed October 29, 2020, the parties stipulated to extend to
24 January 27, 2021, the time in which the United States is required to file a civil complaint for forfeiture
25 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
26 forfeiture.

27 28 ¹ The United States has decided not to file against the Approximately \$885.10 seized from Ally Bank Account Number
1069206298 in the name of Catherine Stuckey and Approximately \$445.98 seized from Wells Fargo Bank Account Number
2018552089 in the name of Catherine Stuckey identified in the caption.

1 8. By Stipulation and Order filed January 21, 2021, the parties stipulated to extend to April
2 27, 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
3 defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to forfeiture.

4 9. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
5 to June 25, 2021, the time in which the United States is required to file a civil complaint for forfeiture
6 against the defendant funds and/or to obtain an indictment alleging that the defendant funds are subject to
7 forfeiture.

8 10. Accordingly, the parties agree that the deadline by which the United States shall be
9 required to file a complaint for forfeiture against the defendant funds and/or to obtain an indictment
10 alleging that the defendant funds are subject to forfeiture shall be extended to June 25, 2021.

11 Dated: 4/22/2021

PHILLIP A. TALBERT
Acting United States Attorney

12 By: /s/ Kevin C. Khasigian
13 KEVIN C. KHASIGIAN
14 Assistant U.S. Attorney

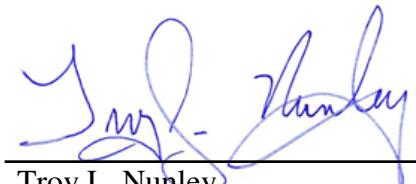
15 Dated: 4/23/2021

16 /s/ Stephen Kahn
17 STEPHEN KAHN
18 Attorney for potential claimant
19 Gabriel Alva

20 (Signature authorized by email)

21 **IT IS SO ORDERED.**

22 Dated: April 23, 2021

23 
24 Troy L. Nunley
25 United States District Judge