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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10
11 UNITED STATES OF AMERICA,

2:21-MC-00069-MCE-JDP

12 Plaintiff,

13 v.

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

14 CHARTER ARMS SHELTON, CT
(CHARTER 2000) PINK LADY OFF DUTY
15 REVOLVER, CAL:38, SN:16-30988,

16 WALTHER P22 CA PISTOL, CAL:22, SN:
WA272924,

17 PISTOL, UNKNOWN MANUFACTURER,
18 UNKNOWN TYPE, CAL: UNKNOWN,
SN: NONE, AND

19 F.N. (FN HERSTAL) FIVE-SEVEN
20 PISTOL, CAL: 57, SN:386313842,

21 Defendants.

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23 It is hereby stipulated by and between the United States of America and potential claimant Elton
24 Ward (“claimants”), by and through their respective counsel, as follows:

25 1. On or about December 6, 2020, claimant filed a claim in the administrative forfeiture
26 proceeding with the Bureau of Alcohol, Tobacco, Firearms and Explosives with respect to the above-
27 referenced firearms (hereafter “defendant firearms”), which were seized on or about October 6, 2020.

1 2. The Bureau of Alcohol, Tobacco, Firearms and Explosives has sent the written notice of
2 intent to forfeit required by 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has
3 expired for any person to file a claim to the defendant firearms under 18 U.S.C. § 983(a)(2)(A)-(E), and
4 no person other than claimant has filed a claim to the defendant firearms as required by law in the
5 administrative forfeiture proceeding.

6 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a complaint for
7 forfeiture against the defendant firearms and/or to obtain an indictment alleging that the defendant
8 firearms are subject to forfeiture within ninety days after a claim has been filed in the administrative
9 forfeiture proceeding, unless the court extends the deadline for good cause shown or by agreement of the
10 parties. That deadline was March 5, 2021.

11 4. By Stipulation and Order filed March 12, 2021, the parties stipulated to extend to April 5,
12 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
13 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
14 forfeiture.

15 5. By Stipulation and Order filed April 12, 2021, the parties stipulated to extend to May 3,
16 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
17 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
18 forfeiture.

19 6. By Stipulation and Order filed May 12, 2021, the parties stipulated to extend to June 2,
20 2021, the time in which the United States is required to file a civil complaint for forfeiture against the
21 defendant firearms and/or to obtain an indictment alleging that the defendant firearms are subject to
22 forfeiture.

23 7. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to further extend
24 to August 31, 2021, the time in which the United States is required to file a civil complaint for forfeiture
25 against the defendant firearms and/or to obtain an indictment alleging that the defendant firearms are
26 subject to forfeiture.

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2 8. Accordingly, the parties agree that the deadline by which the United States shall be
3 required to file a complaint for forfeiture against the defendant firearms and/or to obtain an indictment
4 alleging that the defendant firearms are subject to forfeiture shall be extended to August 31, 2021.

5 Dated: 6/1/2021

PHILLIP A. TALBERT
Acting United States Attorney

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

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9 Dated: 5/28/2021

/s/ Daniel L. Olsen
DANIEL L. OLSEN
Attorney for potential claimant
Elton Ward

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(Signature authorized by phone)

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13 IT IS SO ORDERED.

14 Dated: June 3, 2021

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

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