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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

13	UNITED STATES OF AMERICA,)	CASE NO. CV 12-1439 MMC
14	Plaintiff,)	JOINT STATUS REPORT;
15	v.)	Proposed ORDER
16	ONE(1) 2008 TOYOTA TUNDRA, (VIN #)	
17	5TFDV58108X050994), ET AL.,)	
18	Defendants.)	

Plaintiff, the United States of America, by and through MELINDA HAAG, United States Attorney, and ARVON J. PERTEET, Assistant United States Attorney, and Claimant MATTHEW GRAVES by and through his attorney DAVID M. MICHAEL, ESQ., hereby submit the following Joint Status Report.

On March 12, 2012, the Government filed this civil forfeiture action against the defendant properties. The basis alleged for this forfeiture action is that the defendant properties were used to facilitate the manufacture, possession, cultivation, and distribution and the possession with the intent to distribute marijuana. On or about December 18, 2012, the Government brought a criminal action against

JOINT STATUS REPORT
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1 claimant/defendant, MATTHEW GRAVES, in the matter of *United States v. Matthew David Graves*,
2 CR 12-0885 WHA, alleging possession with the intent to distribute marijuana. The criminal case also
3 alleges criminal forfeiture of the same property at issue in this civil forfeiture matter. On February 8,
4 2013, the Government filed a notice of related case in both case Nos. CV 12-01439 MMC, and CR 12-
5 0885 WHA. The matter of *United States v. Matthew David Graves*, CR 12-0885 WHA, is currently set
6 for trial on September 9, 2013.

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8 The civil forfeiture matter before this Court is currently stayed pending the resolution of the
9 criminal matter. However, the Government and claimant Umpqua Bank have filed a Motion for
10 Interlocutory Sale related to one of the defendant real properties. The motion was originally set to be
11 heard on September 13, 2013, before this Court. Docket Text 8/13/2013. Due to the unavailability of
12 counsel for claimant Graves, the parties have requested that this Court continue that hearing to October
13 11, 2013, with a modification of the briefing schedule. Doc 38, filed 8/14/2013 (Stipulation to Continue
14 Hearing/[Proposed] Order). With the exception of the Motion for Interlocutory Sale, the parties request
15 that the case be stayed for an additional six months pursuant to 18 U.S.C. §§ 981(g)(1) and (2).
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18 Dated: August 14, 2013

MELINDA HAAG
United States Attorney

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20 S/ARVON J. PERTEET
21 ARVON J. PERTEET
22 Assistant United States Attorney


23 Dated: August 14, 2013

24 S/DAVID M. MICHAEL
25 DAVID M. MICHAEL
26 Attorney for Claimant
27 MATTHEW D. GRAVES
28

~~Proposed~~ ORDER

Pursuant to the Joint Status Report, and with the exception of the pending hearing on Plaintiff's Motion for Interlocutory Sale, this case is further stayed until February 21 2014, at which time the parties shall file with the Court a further Status Report, or until such earlier time as further ordered by this Court or requested by the parties.

Dated: August 22, 2013


MAXINE M. CHESNEY
UNITED STATES DISTRICT JUDGE