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**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) 2:09-CV-1647-LRH (LRL)
)
 \$49,205.27 IN UNITED STATES CURRENCY)
)
 Defendant.)

**UNITED STATES’ MOTION TO CONTINUE
THE DATE TO FILE ITS COMPLAINT FOR FORFEITURE *IN*
REM IN THE ABOVE-CAPTIONED MATTER AND ORDER
(Fifth Request)**

The United States of America (“United States”), by and through Daniel G. Bogden, United States Attorney, and Michael A. Humphreys, Assistant United States Attorney, respectfully applies for an extension of time until and including December 28, 2010 pursuant to 18 U.S.C. § 983(a)(3)(A), for the United States to file a Civil Complaint for Forfeiture *In Rem* against the \$49,205.27 in United States Currency. The Government’s Complaint is currently due August 30, 2010.

Gregg Gariti and numerous associates of his have been the focus of a historical state/federal criminal investigation into their activities of alleged unlawful gaming activities in Nevada and elsewhere. Generally speaking, the Government has developed information that Gariti and others were operating an illegal book-making operation from approximately December 2008 through

1 approximately April 2009, all in violation of 18 U.S.C. § 1084 and other federal anti-gambling
2 statutes. A principal situs of that illegal operation was Las Vegas, Nevada.

3 Pursuant to plea negotiations between Mr Gariti and the Government, on September 24, 2009,
4 Mr. Gariti entered a change of plea before this Court.

5 In the meantime, the Government has a deadline, under the strictures of 18 U.S.C. § 983
6 (a)(3)(A), to file its forfeiture complaint, regarding the above-captioned currency, no later than August
7 30, 2010.

8 The criminal case will not be disposed of by the time the Government is required to file its
9 complaint. However, counsel for the United States believes that there will be a final disposition of
10 this matter before the expiration of the time period for the continuance requested herein; making
11 further requests for continuances unnecessary.

12 Finally, the undersigned counsel for the United States attempted to contact defendant's
13 counsel, Margaret Stanish, prior to filing of this motion, but was unable to speak to her, beforehand,
14 regarding her position on this motion.

15 The Government, herewith, petitions this Court to extend the time for the Government to file
16 its civil complaint in the above-captioned matter, to facilitate a final universal plea/sentencing
17 disposition.

18 This motion is not submitted solely for the purpose of delay or for any other improper
19 purpose.

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WHEREFORE, the United States moves this Court to grant its motion to extend the time for the United States to file its civil complaint in the above-captioned matter for an additional 120 days, or until December 28, 2010.

DATED this 30th day of August, 2010.

Respectfully submitted,

DANIEL G. BOGDEN
United States Attorney

/s/Michael A. Humphreys
MICHAEL A. HUMPHREYS
Assistant United States Attorney

IT IS SO ORDERED:

DATED this 9th day of September, 2010



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE