

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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' UNOPPOSED MOTION TO CONTINUE
THE DATE TO FILE ITS COMPLAINT FOR FORFEITURE IN
REM IN THE ABOVE-CAPTIONED MATTER AND ORDER
(Fourth 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 August 30, 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 March 31, 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. Mr. Gariti is scheduled to be sentenced on
5 August 23, 2010, (although on information and belief by Government forfeiture counsel, that
6 sentencing date may be continued by consent of counsel representing the parties in that criminal case).
7 In the meantime, the Government has a deadline, under the strictures of 18 U.S.C. § 983 (a)(3)(A),
8 to file its forfeiture complaint, regarding the above-captioned currency, no later than March 31, 2010.

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

13 Finally, counsel for the Government spoke to defendant's counsel, Margaret Stanish, on
14 March 26, 2010, and she has authorized the undersigned to represent to this Court that she has no
15 objection to the continuance requested herein.

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

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

21 ...
22 ...
23 ...
24 ...
25 ...
26 ...

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

WHEREFORE, the United States moves this Court to grant it's motion to extend the time for the United States to file it's civil complaint in the above-captioned matter for an additional 120 days, or until August 30, 2010.

DATED this 26th day of March 2010.

Respectfully submitted,

DANIEL G. BOGDEN
United States Attorney

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

Dated this 29th day of March, 2010.

IT IS SO ORDERED.



LARRY R. HICKS
UNITED STATES DISTRICT JUDGE