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7 **UNITED STATES DISTRICT COURT**

8 **DISTRICT OF NEVADA**

9
10 UNITED STATES OF AMERICA,) 2:17-CV-344-JAD-(CWH)
11 Plaintiff,)
12 v.) United States' Unopposed Motion To
\$417,073.00 IN UNITED STATES) Continue CAFRA Deadline
13 CURRENCY seized from the premises of) (Fifth Request)
2656 North Ontario Street, Las Vegas)
14 Nevada;)
15 \$28,230.05 IN UNITED STATES)
CURRENCY seized from J.P. Morgan)
16 Chase Account No. xxxxxxxx2849;)
17 \$21,146.37 in UNITED STATES)
CURRENCY seized from J.P. Morgan)
18 Chase Bank Account No. xxxxxxxx5561;)
19 Defendants.)

20 COMES NOW the United States of America and moves this Court to extend the CAFRA
21 (Civil Asset Forfeiture Reform Act) deadline for 30 days or until November 11, 2017. The
22 current CAFRA deadline for the Government to file its complaint is October 11, 2017.

23 This is the Government's Fifth request for an extension of the CAFRA deadline. On
24 August 31, 2017, this Court granted a 30-day continuance until October, 11, 2017.

25 This motion is unopposed by Claimants' Counsel.

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1 Pursuant to 18 U.S.C. 983(a)(2)(E), the United States has 90 days to file a civil
2 complaint, if an interested party files a timely administrative claim with the seizing agency. In
3 this case, Customs and Border Patrol seized the above referenced defendants on August 17,
4 2016; and the claimants, Zalmai and Sona Basharyar, filed administrative claims with the
5 Department of Homeland Security (United States Customs and Border Patrol) on November 10,
6 2016. As such, the United States was obliged to file its civil complaint in this case by February
7 10, 2017. In an uncontested motion filed on February 3, 2017, the United States requested an
8 additional sixty (60) days to file a civil forfeiture complaint in this case because it (the United
9 States) was still in the process of determining whether there was/is sufficient evidence to file
10 such a complaint. The United States was (and still is) gathering and analyzing evidence,
11 specifically bank and tax records to determine whether it can meet the burden of the
12 preponderance of evidence necessary to file a complaint.

13 Since the last continuance request was granted by this Court, the Government has
14 analyzed several years of financial records (both bank and tax records) provided by the
15 Claimant's counsel and has also conducted an independent investigation involving several
16 witnesses. The investigatory phase is complete and the Government is now compiling and
17 collating all of the information at hand to prepare a coherent narrative that can be used by the
18 parties as a basis for negotiation to proceed with whether a complaint for forfeiture will be filed.

19 Accordingly, the United States requests an additional thirty days (or until November 11,
20 2017) to complete its financial analysis and determine whether to file a complaint in this matter.

21 Counsel for the Government has consulted with the Claimants' counsel, Gabriel Grasso,
22 and he has authorized Government counsel to represent to this Court that he does not object to
23 this motion.

24 This motion is not submitted solely for the purpose to delay or for any other improper
25 purpose.

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1 WHEREFORE, for all of the reasons stated above, the United States moves this Court to
2 continue the CAFRA deadline thirty (30) days or until November 11, 2017.

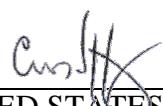
3 Dated: October 10, 2017

4 STEVEN W. MYHRE
5 Acting United States Attorney

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

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10 IT IS SO ORDERED:

11 DATED: October 11, 2017
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14 UNITED STATES MAGISTRATE JUDGE
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