

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW HAMPSHIRE

United States of America,  
Plaintiff

v.

Civil No. 09-cv-337-LM

Funds in Citizen Bank Checking  
Account No. 3311521635 in the name  
of Anthony Moscaritolo, et al.,  
Defendants-in-Rem

**O R D E R**

By prior order, the court directed the parties to show cause why this civil forfeiture proceeding should not be stayed until the underlying criminal prosecution against Anthony Moscaritolo was resolved, either by verdict or a guilty plea. On September 1, 2010, Moscaritolo pled guilty to all pending federal charges against him. Later that day, the government submitted its response to the show cause order, noting Moscaritolo's guilty plea and asserting that there was no longer any reason to stay or otherwise delay these civil forfeiture proceedings. The court agrees.

Accordingly, Moscaritolo's motion to stay (document no. 22) is denied. On or before October 18, 2010, Moscaritolo shall respond to the government's outstanding discovery requests (i.e., its first set of interrogatories and its request for production of documents). If, as a result of his incarceration, Moscaritolo is unable to produce some of the requested documents, or if he

has a well-founded and legitimate (i.e., based in law) objection to any of the government's interrogatories, he shall clearly and succinctly say so in his response to the government. Continued failure to respond to the government's discovery requests shall, however, result in sanctions, which may include the striking of Moscaritolo's answer and claim.

**SO ORDERED.**



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Landya B. McCafferty  
Magistrate Judge

September 28, 2010

cc: Anthony Moscaritolo, pro se  
Aixa Moldonado-Quinones, Esq.