

IN THE UNITED STATES DISTRICT COURT  
 FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
 SOUTHERN DIVISION

No.: 7:13-CV-147-FL

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
\$10,644.00 IN U.S. CURRENCY and	)	ORDER
\$1,700.00 IN U.S. CURRENCY,	)	
	)	
Defendants,	)	
	)	
AARON ACOSTA MORENO,	)	
	)	
Claimant.	)	

This matter comes before the court on the government’s motion to stay time for response to claimant’s motion to suppress, requesting that its response time be stayed until twenty-one (21) days after service of claimant’s responses to the government’s special interrogatories (DE 17). For good cause shown, the motion is GRANTED.

On September 3, 2013, claimant filed an answer to the government’s complaint for forfeiture *in rem* (DE 10). That same day, claimant filed a motion to suppress the defendant currencies as the products of unlawful searches and seizures, as well as all observations made by officers after his detention, included of all statements made by claimant, where claimant maintains his detention was unlawful (DE 11). On September 5, 2013, claimant filed a motion to dismiss the government’s complaint (DE 14). On September 6, 2013, The government filed a notice of automatic stay of its response time to the motion to dismiss noting that, pursuant to Supplemental Rule G(6)(c), the government’s response to the motion to dismiss is not due until 21 days after service of claimant’s

answers to its special interrogatories, propounded that day pursuant to Supplemental Rule G(6)(a) (DE 15).

Concurrently filed with its notice, the government filed the instant motion to stay time for response to claimant's motion to suppress. On September 9, 2013, the government filed a motion to strike claimant's answer, contending that claimant lacked standing for failure to comply with Supplemental Rule G(5) (DE 19). Pursuant to Supplemental Rule G(8)(c)(ii)(A), this motion must be decided before claimant's motion to dismiss.

Standing is a prerequisite for the right to file any motion. Claimant's standing is therefore a threshold requirement for the proper filing of his motion to suppress. Where Supplemental Rule G(6)(c) provides that the government's response to claimant's motion to dismiss is not due until twenty-one (21) days after service of claimant's responses to the government's special interrogatories, in the interest of judicial economy, the court will similarly defer response time to the motion to suppress. The motion to stay is GRANTED. The government's time to file a response to claimant's motion to suppress is hereby STAYED until twenty-one (21) days after service of claimant's responses to the government's special interrogatories.

SO ORDERED, this the 10th day of September, 2013.



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LOUISE W. FLANAGAN  
United States District Judge