

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA;

CASE NO. C17-1138-JCC

Plaintiff;

ORDER

v.

THE REAL PROPERTY COMMONLY  
KNOWN AS 101 WEST HERMOSA DRIVE,  
SAN GABRIEL, CALIFORNIA 91775, LOS  
ANGELES COUNTY, PARCEL NO.  
536021022, TITLED IN THE NAME OF DEK  
GROUP, LLC;

ALL FUNDS CONTAINED IN WELLS  
FARGO BANK ACCOUNT NUMBER  
XXXXXXX4582, HELD IN THE NAME OF  
BRIAN K. BURNETT;

AND

ALL FUNDS CONTAINED IN BANK OF  
AMERICA ACCOUNT NUMBER  
XXXXXXXXX9392, HELD IN THE NAME OF  
DEK GROUP, LLC;

Defendants.

This matter comes before the Court on the Government’s status report (Dkt. No. 24). The Court previously stayed all proceedings in this civil forfeiture case because the Government was

1 prosecuting a related criminal case before the Court. *See United States v. Shelburne, et al.*, Case  
2 No. CR17-0203-JCC, Dkt. No. 1 (W.D. Wash. 2017). The Court concluded that the civil and  
3 criminal cases were sufficiently related and that civil discovery would adversely affect the  
4 Government's ability to investigate and prosecute the criminal case. (Dkt. No. 15 at 3) (citing 18  
5 U.S.C. § 981(g)(1)). The Court has granted four extensions of the stay. (Dkt. Nos. 18, 20, 22,  
6 24.)

7 In its status report, the Government notes that the criminal case is ongoing. (Dkt. No. 25  
8 at 3.) The Government is continuing to prosecute a defendant who may claim ownership of the  
9 properties at issue in this civil forfeiture action. (*Id.*); *see also Shelburne*, CR17-0203-JCC, Dkt.  
10 No. 268. Therefore, the Government asks the Court to continue the current stay. (Dkt. No. 25 at  
11 3.)

12 The Court concludes that it is appropriate to continue its stay of proceedings. The  
13 Government continues to investigate and prosecute the related criminal case. The Government  
14 seeks forfeiture of some of the same assets named in this civil forfeiture action. *Shelburne*,  
15 CR17-0203-JCC, Dkt. No. 48 at 15–17; (Dkt. No. 1 at 55–59.) The Court finds that allowing  
16 civil discovery in this case would adversely affect the Government's ongoing investigation and  
17 prosecution in the criminal case. 18 U.S.C. § 981(g)(1).

18 All proceedings in this matter remain STAYED until the related criminal case, *Shelburne*,  
19 CR17-0203-JCC, is resolved, either through a verdict or guilty plea. The United States shall file  
20 a status report no later than November 9, 2020.

21 DATED this 7th day of July 2020.

22  
23  
24  
25  
26  


John C. Coughenour  
UNITED STATES DISTRICT JUDGE