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5 Attorneys for the United States

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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA

10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 APPROXIMATELY \$86,386.34 IN U.S.
15 CURRENCY SEIZED FROM WELLS
16 FARGO BANK ACCOUNT NUMBER 837-
8529088,

17 APPROXIMATELY \$75,799.17 IN U.S.
18 CURRENCY SEIZED FROM WELLS
19 FARGO BANK ACCOUNT NUMBER 237-
4897144,

20 APPROXIMATELY \$12,487.89 IN U.S.
21 CURRENCY SEIZED FROM WELLS
22 FARGO BANK ACCOUNT NUMBER 837-
7300564,

23 APPROXIMATELY \$40,000.00 IN U.S.
24 CURRENCY SEIZED FROM WELLS
25 FARGO BANK ACCOUNT NUMBER 840-
2798287,

26 APPROXIMATELY \$4,779.21 IN U.S.
27 CURRENCY SEIZED FROM WELLS
28 FARGO BANK ACCOUNT NUMBER 837-
7299931,

APPROXIMATELY \$22,560.00 IN U.S.
CURRENCY SEIZED FROM WELLS
FARGO BANK ACCOUNT NUMBER 522-
9480073,

2:12-MC-00084-MCE-CKD

STIPULATION AND ORDER
EXTENDING TIME FOR FILING
A COMPLAINT FOR FORFEITURE
AND/OR TO OBTAIN AN
INDICTMENT ALLEGING
FORFEITURE

1 APPROXIMATELY \$16,300.00 IN U.S.
2 CURRENCY SEIZED FROM WELLS
3 FARGO BANK ACCOUNT NUMBER 688-
4 7162441,
5 APPROXIMATELY \$2,315.48 IN U.S.
6 CURRENCY SEIZED FROM WELLS
7 FARGO BANK ACCOUNT NUMBER 837-
8 7300341,
9 APPROXIMATELY \$6,705.79 IN U.S.
10 CURRENCY SEIZED FROM U.S. BANK
11 ACCOUNT NUMBER 1-534-6593-5705,
12 APPROXIMATELY \$23,437.76 IN U.S.
13 CURRENCY SEIZED FROM U.S. BANK
14 ACCOUNT NUMBER 1-534-9727-8140,
15 APPROXIMATELY \$8,270.00 IN U.S.
16 CURRENCY,
17 APPROXIMATELY \$12,290.00 IN U.S.
18 CURRENCY,
19 APPROXIMATELY \$7,874.00 IN U.S.
20 CURRENCY,
21 APPROXIMATELY \$9,600.00 IN U.S.
22 CURRENCY,
23 APPROXIMATELY \$41,820.00 IN U.S.
24 CURRENCY,
25 APPROXIMATELY \$4,980.00 IN U.S.
26 CURRENCY,
27 APPROXIMATELY \$22,057.00 IN U.S.
28 CURRENCY,
ASSORTED JEWELRY VALUED AT
\$178,675.00,
ASSORTED JEWELRY VALUED AT
\$32,000.00,
2010 HARLEY DAVIDSON ROAD GLIDE
TOURING MOTORCYCLE, VIN:
1HD1KH43XAB656597, CALIFORNIA
LICENSE: 20J4782,
2011 HARLEY DAVIDSON ROAD GLIDE
TOURING MOTORCYCLE, VIN:

1 1HD1KH435BB605168, CALIFORNIA
2 LICENSE: 20M0719,

3 2011 HARLEY DAVIDSON ROAD GLIDE
4 TOURING MOTORCYCLE, VIN:
5 1HD1KH431BB627068, CALIFORNIA
6 LICENSE: 20M5789,

7 2003 HARLEY DAVIDSON FXDXT
8 MOTORCYCLE, VIN:
9 1HD1GLV153K315113, CALIFORNIA
10 LICENSE: 18E3564,

11 2009 LAND ROVER RANGE ROVER, VIN:
12 SALSH23469A210503, CALIFORNIA
13 LICENSE: 6HXA254,

14 2010 GMC SAVANA CONVERSION VAN
15 EXPLORER, VIN: 1GDZGMBG3A1138479,
16 CALIFORNIA LICENSE: 6KTV397,

17 2012 ELIMINATOR SPEEDSTER BOAT,
18 VIN: ELBA0131G112, CALIFORNIA
19 VESSEL NUMBER: CF0818RR,

20 2012 EXTREME CARRIER TRAILER, VIN:
21 5DBUP28381R000028, CALIFORNIA
22 LICENSE: 4LU8888,

23 2008 NORDIC 28-FOOT POWER BOAT
24 WITH 2004 TRAILER, VIN: NDC86722G708,
25 CALIFORNIA VESSEL NUMBER:
26 CF5317RN,

27 2007 TRACKER TARGA 17 SPORT BOAT
28 WITH 2004 TRAILER, VIN: BUJ64228C707,
CALIFORNIA VESSEL NUMBER:
CF3895RN,

SIG SAUER MOSQUITO 22 CALIBER
SEMI-AUTOMATIC HANDGUN, SERIAL
NUMBER: F011198,

GLOCK 45 CALIBER, MODEL 21
HANDGUN, SERIAL NUMBER: MRX665,
WITH AMMUNITION,

GLOCK 40 CALIBER, MODEL 23 SEMI-
AUTOMATIC HANDGUN, SERIAL
NUMBER: GDZ776, WITH AMMUNITION,

SMITH AND WESSON, MODEL AR-15
RIFLE, SERIAL NUMBER: 97540, WITH
AMMUNITION, AND

1 2008 FORD F-350 CREW CAB TRUCK, VIN:
 2 1FTWW31R88EA64972, CALIFORNIA
 2 LICENSE: 8N24680,

3 Defendants.

4 It is hereby stipulated by and between the United States of America and Claimants
 5 Steven Ortega, Sr., Steven Ortega, Jr., Anthony Winters, Richard Serrell, Steven M.
 6 Adgate, Andrea Vickery, Justin McMillan, Jason Siegfried, Ashley Owles, Derek Winters,
 7 Anthony Giarrusso and Marla Ortega, by and through their respective attorneys, and
 8 Thomas and Denise Hohn, in *propria persona* ("Claimants"), as follows:

9 1. The following table details the claimant, assets, dates in which claims were filed
 10 in the administrative forfeiture proceedings with either the Internal Revenue Service –
 11 Criminal Investigation ("IRS-CI") or the U.S. Drug Enforcement Administration ("DEA")
 12 and the dates the defendant assets were seized:

14	Claimant	Asset	Claim Rec'd	Complaint Due	Agency	Date Seized
15	Anthony Winters	Approximately \$86,386.34 in USC seized from Wells Fargo Bank	7/30/2012	10/28/2012	IRS-CI	5/16/2012
16	Steven and Marla Ortega	Approximately \$86,386.34 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
17	Anthony Winters	Approximately \$75,799.17 in USC seized from Wells Fargo Bank	7/30/2012	10/28/2012	IRS-CI	5/16/2012
18	Steven and Marla Ortega	Approximately \$75,799.17 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
19	Anthony Winters	Approximately \$12,487.89 in USC seized from Wells Fargo Bank	7/30/2012	10/28/2012	IRS-CI	5/16/2012
20	Steven and Marla Ortega	Approximately \$12,487.89 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
21	Steven and Marla Ortega	Approximately \$22,560.00 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
22	Steven and Marla Ortega	Approximately \$16,300.00 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
23	Steven and Marla Ortega	Approximately \$2,315.48 in USC seized from Wells Fargo Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
24	Steven and Marla Ortega	Approximately \$6,705.79 in USC seized from US Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012

	Claimant	Asset	Claim Filed	Complaint Due	Agency	Date Seized
1	Steven and Marla Ortega	Approximately \$23,437.76 in USC seized from US Bank	8/06/2012	11/04/2012	IRS-CI	5/16/2012
2	Steven Ortega, Jr.	Approximately \$23,437.76 in USC seized from US Bank	8/07/2012	11/05/2012	IRS-CI	5/16/2012
3	Anthony Winters	Approximately \$8,270.00 in USC	7/30/2012	10/28/2012	DEA	5/16/2012
4	Anthony Winters	Approximately \$12,290.00 in USC	7/30/2012	10/28/2012	DEA	5/16/2012
5	Steven and Marla Ortega	Approximately \$12,290.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
6	Steven and Marla Ortega	Approximately \$7,874.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
7	Richard Serrell	Approximately \$9,600.00 in USC	8/02/2012	10/31/2012	DEA	5/16/2012
8	Steven Ortega, Jr.	Approximately \$41,820.00 in USC	8/03/2012	11/01/2012	DEA	5/16/2012
9	Steven and Marla Ortega	Approximately \$4,980.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
10	Steven and Marla Ortega	Approximately \$22,057.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
11	Steven and Marla Ortega	Approximately \$57,642.00 in USC	8/06/2012	11/04/2012	DEA	5/16/2012
12	Richard Serrell	Assorted Jewelry Valued at \$178,675.00	8/02/2012	10/31/2012	DEA	5/16/2012
13	Andrea Vickery	Assorted Jewelry Valued at \$32,000.00	8/17/2012	11/15/2012	DEA	5/16/2012
14	Steven Ortega, Jr.	Assorted Jewelry Valued at \$32,000.00	8/03/2012	11/01/2012	DEA	5/16/2012
15	Steven and Marla Ortega	2010 Harley Davidson Road Glide Touring Motorcycle, 6597	8/06/2012	11/04/2012	DEA	5/16/2012
16	Thomas and Denise Hohn	2010 Harley Davidson Road Glide Touring Motorcycle, 6597	8/16/2012	11/14/2012	DEA	5/16/2012
17	Steven Ortega, Jr.	2011 Harley Davidson Road Glide Touring Motorcycle, 5168	8/03/2012	11/01/2012	DEA	5/16/2012
18	Steven Ortega, Jr.	2011 Harley Davidson Road Glide Touring Motorcycle, 7068	8/03/2012	11/01/2012	DEA	5/16/2012
19	Derek Winters	2009 Land Rover Range Rover	8/02/2012	10/31/2012	DEA	5/16/2012
20	Richard Serrell	2010 GMC Savana Conversion Van Explorer	8/02/2012	10/31/2012	DEA	5/16/2012
21	Steven Ortega, Jr.	2012 Eliminator Speedster Boat	8/03/2012	11/01/2012	DEA	5/16/2012
22	Steven Adgate	2012 Eliminator Speedster Boat	8/15/2012	11/13/2012	DEA	5/16/2012
23	Steven Ortega, Jr.	2012 Extreme Carrier Trailer	8/03/2012	11/01/2012	DEA	5/16/2012
24	Richard Serrell	2008 Nordic 28-Foot Power Boat with 2004 Trailer	8/02/2012	10/31/2012	DEA	5/16/2012
25	Steven and Marla Ortega	Sig Sauer Mosquito 22 Caliber Semi-Automatic handgun	8/06/2012	11/04/2012	DEA	5/16/2012

1	Claimant	Asset	Claim Filed	Complaint Due	Agency	Date Seized
2	Jason Siegfried	Glock 40 Caliber, Model 23 Semi-Automatic Handgun	8/15/2012	11/13/2012	DEA	5/16/2012
3	Ashley Owles	Glock 40 Caliber, Model 23 Semi-Automatic Handgun	8/15/2012	11/13/2012	DEA	5/16/2012
4	Justin McMillian	Smith & Wesson, Model AR-15 Rifle	8/13/2012	11/11/2012	DEA	5/16/2012
5	Anthony Giarrusso	2008 Ford F-350 Crew Cab Truck	10/15/2012	1/13/2013	DEA	5/16/2012

7 2. The Internal Revenue Service – Criminal Investigation and the U.S. Drug
 8 Enforcement Administration have sent written notice of the intent to forfeit required by
 9 18 U.S.C. § 983(a)(1)(A) to all known interested parties. The time has expired for any
 10 person to file a claim to the defendant assets under 18 U.S.C. § 983(a)(2)(A) (E), and no
 11 person other than Claimants have filed a claim to the defendant assets as required by law
 12 in the administrative forfeiture proceeding.

13 3. Under 18 U.S.C. § 983(a)(3)(A), the United States is required to file a
 14 complaint for forfeiture against the defendant assets and/or to obtain an indictment
 15 alleging that the defendant assets are subject to forfeiture within ninety days after a
 16 claim has been filed in the administrative forfeiture proceedings, unless the court extends
 17 the deadline for good cause shown or by agreement of the parties. The deadlines for each
 18 of the defendant assets are listed above, with the earliest date of October 28, 2012.

19 4. By Stipulation and Order filed October 18, 2012, the parties stipulated to
 20 extend to January 25, 2013, the time in which the United States is required to file a civil
 21 complaint for forfeiture against the defendant assets and/or to obtain an indictment
 22 alleging that the defendant assets are subject to forfeiture.

23 5. By Stipulation and Order filed January 15, 2013, the parties stipulated to
 24 extend to April 12, 2013, the time in which the United States is required to file a civil
 25 complaint for forfeiture against the defendant assets and/or to obtain an indictment
 26 alleging that the defendant assets are subject to forfeiture.

27 6. By Stipulation and Order filed April 15, 2013, the parties stipulated to
 28

1 extend to July 12, 2013, the time in which the United States is required to file a civil
2 complaint for forfeiture against the defendant assets and/or to obtain an indictment
3 alleging that the defendant assets are subject to forfeiture.

4 7. By Stipulation and Order filed July 12, 2013, the parties stipulated to
5 extend to October 11, 2013, the time in which the United States is required to file a civil
6 complaint for forfeiture against the defendant assets and/or to obtain an indictment
7 alleging that the defendant assets are subject to forfeiture.

8 8. By Stipulation and Order filed October 11, 2013, the parties stipulated to
9 extend to January 9, 2014, the time in which the United States is required to file a civil
10 complaint for forfeiture against the defendant assets and/or to obtain an indictment
11 alleging that the defendant assets are subject to forfeiture.

12 9. By Stipulation and Order filed January 7, 2014, the parties stipulated to
13 extend to April 9, 2014, the time in which the United States is required to file a civil
14 complaint for forfeiture against the defendant assets and/or to obtain an indictment
15 alleging that the defendant assets are subject to forfeiture.

16 10. By Stipulation and Order filed April 11, 2014, the parties stipulated to
17 extend to July 8, 2014, the time in which the United States is required to file a civil
18 complaint for forfeiture against the defendant assets and/or to obtain an indictment
19 alleging that the defendant assets are subject to forfeiture.

20 11. By Stipulation and Order filed July 22, 2014, the parties stipulated to
21 extend to October 6, 2014, the time in which the United States is required to file a civil
22 complaint for forfeiture against the defendant assets and/or to obtain an indictment
23 alleging that the defendant assets are subject to forfeiture.

24 12. By Stipulation and Order filed October 7, 2014, the parties stipulated to
25 extend to January 5, 2015, the time in which the United States is required to file a civil
26 complaint for forfeiture against the defendant assets and/or to obtain an indictment
27 alleging that the defendant assets are subject to forfeiture.

28 13. By Stipulation and Order filed January 7, 2015, the parties stipulated to

1 extend to April 6, 2015, the time in which the United States is required to file a civil
2 complaint for forfeiture against the defendant assets and/or to obtain an indictment
3 alleging that the defendant assets are subject to forfeiture.

4 14. By Stipulation and Order filed April 8, 2015, the parties stipulated to extend
5 to July 6, 2015, the time in which the United States is required to file a civil complaint for
6 forfeiture against the defendant assets and/or to obtain an indictment alleging that the
7 defendant assets are subject to forfeiture.

8 15. As provided in 18 U.S.C. § 983(a)(3)(A), the parties wish by agreement to
9 extend to October 5, 2015, the time in which the United States is required to file a civil
10 complaint for forfeiture against the defendant assets and/or to obtain an indictment
11 alleging that the defendant assets are subject to forfeiture.

12 16. Accordingly, the parties agree that the deadline by which the United States
13 shall be required to file a complaint for forfeiture against the defendant assets and/or to
14 obtain an indictment alleging that the defendant assets are subject to forfeiture shall be
15 extended to October 5, 2015.

16 DATE: 7/2/2015

BENJAMIN B. WAGNER
United States Attorney

18 By: /s/ Kevin C. Khasigian
19 KEVIN C. KHASIGIAN
20 Assistant U.S. Attorney

21 DATE: 7/2/2015

/s/ Carolyn M. Hagin
CAROLYN M. HAGIN
22 Attorney for Claimant Anthony Winters
(Authorized via email)

23 DATE: 7/1/2015

/s/ Benjamin D. Galloway
BENJAMIN D. GALLOWAY
24 Attorney for Claimant Steven Ortega, Sr.
(Authorized via email)

25 DATE: 7/1/2015

/s/ Darryl Stallworth
DARRYL STALLWORTH
26 Attorney for Claimant Richard Serrell
(Authorized via email)

1 DATE: 7/1/2015

2 /s/ William J. Portanova
3 WILLIAM J. PORTANOVA
4 Attorney for Claimant Steven Adgate
5 (Authorized via email)

6 DATE: 7/1/2015

7 /s/ Randy Sue Pollock
8 RANDY SUE POLLOCK
9 Attorney for Claimant Steven Ortega, Jr.
10 (Authorized via email)

11 DATE: 7/1/2015

12 /s/ Randy Sue Pollock
13 RANDY SUE POLLOCK
14 Attorney for Claimant Andrea Vickery
15 (Authorized via email)

16 DATE: 7/1/2015

17 /s/ Russell S. Humphrey
18 RUSSELL S. HUMPHREY
19 Attorney for Claimant Derek Winters
20 (Authorized via email)

21 DATE: 7/2/2015

22 /s/ James R. Greiner
23 JAMES R. GREINER
24 Attorney for Claimants
25 Jason Siegfried and Ashley Owles
26 (Authorized via email)

27 DATE: 7/1/2015

28 /s/ Scott N. Cameron
29 SCOTT N. CAMERON
30 Attorney for Claimant Justin McMillian
31 (Authorized via email)

32 DATE: 7/1/2015

33 /s/ Hayes H. Gable III
34 HAYES H. GABLE III
35 Attorney for Claimant Anthony Giarrusso
36 (Authorized via email)

37 DATE: 7/1/2015

38 /s/ Shari Rusk
39 SHARI RUSK
40 Attorney for Claimant Marla Ortega
41 (Authorized via email)

42 DATE: 7/1/2015

43 /s/ Thomas Hohn
44 THOMAS HOHN
45 Claimant, Appearing in *propria persona*
46 (Authorized via email)

1 DATE: 7/1/2015

/s/ Denise Hohn

2 DENISE HOHN

3 Claimant, Appearing in *propria persona*
(Authorized via email)

4

5 **ORDER**

6 IT IS SO ORDERED.

7 Dated: July 8, 2015

8 
9 MORRISON C. ENGLAND, JR., CHIEF JUDGE

10 UNITED STATES DISTRICT COURT

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