

No. 14-10499

IN THE UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

v.

SUSAN XIAO-PING SU,

Defendant-Appellant.

**THE UNITED STATES' MOTION FOR A 30-DAY EXTENSION OF TIME
TO FILE ITS OPPOSITION TO APPELLANT'S MOTION TO STAY
FORFEITURE OF REAL PROPERTY PENDING APPEAL**

The United States hereby moves for a 30-day extension of time in which to file its response to appellant's motion to stay forfeiture of real property pending appeal in the above-captioned case. The appellee's response is currently due on February 11, 2015. The United States has sought two prior 30-day extensions in this case. This motion would extend the time for filing the appellee's response to motion to stay until March 13, 2015. This request is made under Fed. R. App. P. 27 and Ninth Circuit Rule 31-2.2(b), and it is supported by the accompanying declaration of Assistant United States Attorney David Countryman.

The government has contacted counsel for Appellant Susan-Xiao-Ping Su regarding the requested continuance, and counsel has stipulated to the continuance.

DATED: February 4, 2015

Respectfully submitted,

MELINDA HAAG
United States Attorney

BARBARA J. VALLIERE
Chief, Appellate Division

/s/ David Countryman

DAVID COUNTRYMAN
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Attorneys for Plaintiff-Appellee
UNITED STATES OF AMERICA

No. 14-10499

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SUSAN XIAO-PING SU,

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**DECLARATION OF DAVID COUNTRYMAN SUPPORTING THE
UNITED STATES' MOTION FOR A 30-DAY EXTENSION OF TIME TO
FILE ITS RESPONSE TO APPELLANT'S MOTION TO STAY
FORFEITURE OF REAL PROPERTY PENDING APPEAL**

I, David Countryman, declare:

1. I am an Assistant United States Attorney in the United States Attorney's Office for the Northern District of California. I am one of the attorneys responsible for preparing the government's response to appellant's motion to stay forfeiture of real property pending appeal in the above-captioned case.

2. The government's response to appellant's motion is currently due on February 11, 2015. For the reasons set forth below, I am requesting a 30-day extension to file the government's response. The United States has sought two prior 30-day extensions in this case.

3. The government and appellant are in the process of finalizing an agreement regarding the disposition of the real properties during the pending of the appeal that are at issue in the motion to stay. Therefore, I would like more time to obtain final approvals for this resolution.

4. Defendant Susan Xiao-Ping Su is presently incarcerated serving the sentence imposed in this case.

5. I contacted appellant's counsel, John Jordan, Esq., on February 3, 2015, by telephone, and he agreed to stipulate to an extension of time to file a response to appellant's motion to stay forfeiture of real property pending appeal.

6. To my knowledge, the court reporter is not in default with regard to any transcripts.

I declare, under penalty of perjury, that the foregoing is true and correct to the best of my knowledge.

Executed on February 4, 2015, in San Francisco, California.

s/ David Countryman
DAVID COUNTRYMAN
Assistant United States Attorney

9th Circuit Case Number(s) 14-10499

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I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Signature (use "s/" format) /s/ Hui Chen, Legal Assistant

CERTIFICATE OF SERVICE

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