

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 in the above-captioned appeal. The appellee's response is currently due on December 12, 2014. This motion would extend the time for filing the appellee's response until January 12, 2015. This motion 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 agreed not to oppose the continuance.

DATED: December 4, 2014

Respectfully submitted,

MELINDA HAAG
United States Attorney

BARBARA J. VALLIERE
Chief, Appellate Division

/s/ David Countryman

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Attorneys for Plaintiff-Appellee
UNITED STATES OF AMERICA

No. 14-10499

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UNITED STATES OF AMERICA,

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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 OPPOSITION 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 in the above-captioned motion.

2. The government's brief is currently due on December 12, 2014. For the reasons set forth below, I am requesting a 30-day extension to file the government's response.

3. The government and appellant are in the process of negotiating a possible resolution regarding the disposition of the real properties at issue in the motion to stay. Therefore I would like more time to pursue this possible 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 December 3, 2014, by telephone, and he agreed not to oppose an extension of time to file an opposition 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 December 4, 2014, in San Francisco, California.

s/ David Countryman
DAVID COUNTRYMAN
Assistant United States Attorney

9th Circuit Case Number(s) 14-104991

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