

**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.

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**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 January 12, 2015. The United States has sought one prior 30-day extension in this case. This motion would extend the time for filing the appellee's response until February 11, 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 to the continuance.

DATED: January 5, 2015

Respectfully submitted,

**MELINDA HAAG**  
United States Attorney

**BARBARA J. VALLIERE**  
Chief, Appellate Division

/s/

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**DAVID COUNTRYMAN**  
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**Attorneys for Plaintiff-Appellee**  
**UNITED STATES OF AMERICA**

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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 January 12, 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 one prior 30-day extension in this case.

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 we 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 January 5, 2015, by e-mail, and he agreed to 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 January 5, 2015, in San Francisco, California.

s/ David Countryman  
DAVID COUNTRYMAN  
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on January 5, 2015, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

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.

s/ TYLE L. DOERR  
TYLE L. DOERR  
Appellate Paralegal Specialist