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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

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United States of America, } No. CR-18-00422-PHX-SPL
Plaintiff, }
vs. } ORDER
Michael Lacey, et al., }
Defendants. }

Before the Court is Government's Application for Order Regarding Criminal Forfeiture of Property in Government Custody (the "Motion"). (Doc. 282) The Motion was fully briefed on September 27, 2018. (Docs. 285, 326) Through the pleadings, it has come to the Court's attention that the criminal warrants requested by the Government through the Motion address the same property that is the subject of several civil seizure warrants issued by the U.S. District Court for the Central District of California in a related case. It has also come to the Court's attention that several Defendants have moved to vacate these civil seizure warrants (Doc. 6, 2:18-cv-06742-RGK), and that the U.S. District Court for the Central District of California plans to issue a ruling on the Defendants' challenge.¹ (Doc. 6, 2:18-cv-06742-RGK) At this time, the Court declines to rule on the relief sought in the Motion until the U.S. District Court for the Central District of California rules on the Defendants' challenge to the civil seizure warrants.

¹ The U.S. District Court for the Central District of California issued a docket entry in which it cancelled the motion hearing scheduled for September 24, 2018 and instead stated that it will issue a ruling on the pleadings. (Doc. 58, 2:18-cv-06742-RGK)

Accordingly,

IT IS ORDERED that the Motion is denied without prejudice until the related Motion for Release of Certain Untainted Funds (Doc. 6) filed by Defendant James Larkin in *In the Matter of the Seizure of: Any and all funds held in Republic Bank of Arizona Accounts xxxx1889, xxxx2592, xxxx1938, xxxx2912, and xxxx2500*, Case No. 2:18-cv-06742-RGK is resolved;

IT IS FURTHER ORDERED that within **fourteen (14) days** of the issuance of a ruling on the pending Motion for Release of Certain Untainted Funds (Doc. 6) filed by Defendant James Larkin in *In the Matter of the Seizure of: Any and all funds held in Republic Bank of Arizona Accounts xxxx1889, xxxx2592, xxxx1938, xxxx2912, and xxxx2500*, Case No. 2:18-cv-06742-RGK, the Government may renew its application for an order seeking criminal forfeiture of property as it sees fit.

Dated this 15th day of October, 2018.


Honorable Steven P. Logan
United States District Judge