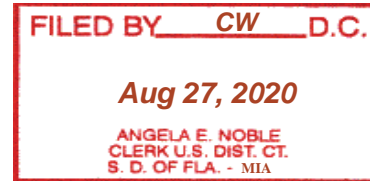


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

ADMINISTRATIVE ORDER 2020-58

IN RE: MATTER OF
CERTAIN PENDING ADMINISTRATIVE-
FORFEITURE PROCEEDINGS



**THIRD ORDER EXTENDING CAFRA DEADLINES FOR
CERTAIN ADMINISTRATIVE-FORFEITURE SEIZURES**

This Order is issued in conjunction with Administrative Orders 2020-28 and 2020-42, which pursuant to 18 U.S.C. § 983, extended, by 60 days, the deadlines established by the Civil Asset Forfeiture Reform Act of 2002 (“CAFRA”) under which the Government is required to (1) commence administrative-forfeiture proceedings against seized property, and (2) commence judicial-forfeiture actions following submission of timely administrative claims in such proceedings. This Order extends the CAFRA deadlines for certain property identified in Administrative Orders 2020-28 and 2020-42 by an additional 60 days, and also extends deadlines for property seized on or between September 1, 2020, and January 4, 2021.

In accordance with 18 U.S.C. § 983(a)(1)(C), supervisory officials at the headquarters office of the Bureau of Alcohol, Tobacco, Firearms & Explosives (“ATF”), Drug Enforcement Administration (“DEA”), Federal Bureau of Investigation (“FBI”), and the United States Secret Service (“USSS”) (collectively, the “Agencies”) have issued updated certifications indicating that in light of the COVID-19 pandemic, their compliance with the statutory notice deadlines under 18 U.S.C. § 983(a)(1) for commencing administrative forfeiture continues to likely endanger the life or physical safety of the personnel responsible for carrying out their respective administrative-forfeiture programs, justifying the extension of those deadlines pursuant to 18 U.S.C. § 983(a)(1)(C), (D).

Also, in light of the ongoing national emergency triggered by the pandemic, and the resulting need for social distancing and heightened controls on physical contact with objects that may risk the spread of COVID-19, there is good cause to find that sending notices of administrative seizures and the referral of administrative claims for judicial action may endanger the life or physical safety of attorneys and staff (at both the Agencies and the U.S. Attorney's Offices), who are responsible for reviewing administrative seizures, issuing notices, and processing submitted claims and petitions, as well as the safety of potential claimants and the general public. All of these factors support a third Order pursuant to 18 U.S.C. § 983(a)(1)(C) and § 983(a)(3)(A) granting the 60-day extensions described herein.

THEREFORE, IT IS ORDERED that:

1. For all property seized in the Southern District of Florida by the Agencies on or between February 3, 2020, and January 4, 2021, the deadline to send notice and commence administrative-forfeiture proceedings against such property is extended for a period of 60 days from the current deadline established by 18 U.S.C. § 983(a)(1)(A)(i), Administrative Order 2020-28, and/or Administrative Order 2020-42;

2. For all property seized in the Southern District of Florida by state or local law enforcement agencies on or between January 3, 2020, and January 4, 2021, which seizures were thereafter federally adopted by the Agencies, the deadline to send notice and commence administrative-forfeiture proceedings against such property is extended for a period of 60 days from the current deadline established by 18 U.S.C. § 983(a)(1)(A)(iv), Administrative Order 2020-28, and/or Administrative Order 2020-42;

3. For all administrative claims to property seized in the Southern District of Florida received by the Agencies on or between February 3, 2020, and January 4, 2021, the deadline for

filing of a civil forfeiture complaint or inclusion of the property in a criminal indictment is extended for a period of 60 days from the current deadline established by 18 U.S.C. § 983(a)(3)(A), Administrative Order 2020-28, and/or Administrative Order 2020-42; and

4. For all property seized in the Southern District of Florida for which the Agencies or the Court previously extended, pursuant to 18 U.S.C. § 983(a)(1)(B) or § 983(a)(1)(C), the deadline to send notice to on or between March 1, 2020, and January 4, 2021, the deadline to send notice and commence administrative-forfeiture proceedings against such property is extended for a period of 60 days from the current deadline.

DONE AND ORDERED in Chambers at Miami, Miami-Dade County, Florida, this 27th day of August, 2020.


K. MICHAEL MOORE
CHIEF UNITED STATES DISTRICT JUDGE

c: All Southern District Judges and Magistrate Judges
United States Attorney
Federal Public Defender
Court Administrator · Clerk of Court
Chief Probation Officer
Library