Eric K. Fogderude, #070860
FLETCHER & FOGDERUDE, INC.
A Professional Corporation
5412 North Palm Avenue, Suite 101
Fresno, California 93704
Telephone: (559) 431-9710
Facsimile: (559) 431-4108
E-Mail: efogderude1@yahoo.com

Attorney for Defendant, JERIEL SALINAS

IN THE UNITED STATES DISTRICT COURT FOR THE

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, vs. JERIEL SALINAS Defendants.	CASE NO. 1:11-CR-00026 LJO WAIVER OF APPEARANCE AND REQUEST FOR ORDER AUTHORIZING WAIVER OF APPEARANCE DATE: January 14, 2013 TIME: 8:00 a.m. COURTROOM: Honorable Lawrence J. O'Neill

TO THE HONORABLE LAWRENCE J. O'NEILL:

Defendant, JERIEL SALINAS, hereby waives his right to be present in person for the status hearing currently set for January 14, 2013 at 8:00 a.m. Defendant hereby requests the court to proceed in his absence and agrees that his interests will be deemed represented at said hearing by the presence of his attorney ERIC K. FOGDERUDE. This request is based upon the fact that it takes defendant 2.2 hours each way to travel from Bakersfield to Fresno, California, that the mileage each way is 110 miles, that defendant is living on a small income and currently unemployed, and that defendant has been staying in regular communication with his lawyer. (See attached declaration of counsel)

///

///

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

/s/ Jeriel Salinas

DATED: January 3, 2013

JERIEL SALINAS, Defendant

DECLARATION OF ATTORNEY, ERIC K. FOGDERUDE

I, ERIC K FOGDERUDE, do hereby declare under penalty of perjury as follows:

1. That I was appointed in January, 2011, to represent defendant JERIEL SALINAS,

2. That Defendant SALINAS has been in regular communication with me, including personal meetings at my office, facsimile transmissions, cell phone calls, and landline calls;

3. I have seldom gone over three weeks without hearing from defendant SALINAS, who has regularly asked my advice about the progress of this case and inquired about discovery matters in his case;

4. That defendant SALINAS has been regularly residing in the Bakersfield area and is supervised by the Pretrial Services Office. To my knowledge, he has been satisfactorily complying with conditions of Pretrial release and has always evidenced respect for the rulings of the court and the conditions of release;

5. That defendant SALINAS has requested of me on January 2, 2013, that due to the distance involved in round trip travel from Bakersfield (approximately 220 miles from his home to Fresno, round trip), the cost of the trip, and the fact that he is presently unemployed and therefore has limited funds, and he be permitted to have me as his counsel appear for him in absentia.

Executed in Fresno, California this 3rd day of January, 2013.

/s/ Eric K. Fogderude

ERIC K. FOGDERUDE

ORDER

GOOD CAUSE APPEARING, it is hereby ordered that Defendant, JERIEL SALINAS is hereby excused from appearing at the court hearing scheduled for January 14, 2013, at 8:00 a.m.

IT IS SO ORDERED.

Dated: **January 8, 2013** **/s/ Lawrence J. O'Neill**
UNITED STATES DISTRICT JUDGE