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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**

10 UNITED STATES OF AMERICA

11 Plaintiffs,

12 v.

13 BRANDON SHAWN GREENE,

14 Defendants.

) **Case No.: 1:11-CR-00213 DLB AWI**

)
) **STIPULATION AND ORDER FOR**
) **CONTINUANCE FOR STATUS**
) **CONFERENCE**

) **DATE: July 23, 2012**

) **TIME: 1:30 p.m.**

) **JUDGE: Dennis L. Beck**

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18 It is hereby stipulated by and between Benjamin B. Wagner, United States Attorney and
19 Kimberly Sanchez, Assistant U.S. Attorney and Dale A. Blickenstaff, attorney for BRANDON
20 SHAWN GREENE that the discovery hearing set for July 23, 2012 at 1:30 p.m. be taken off
21 calendar and instead the matter set for further status conference on September 10, 2012 at 1:30
22 p.m.

23 At the last discovery hearing held on July 9, 2012, before Magistrate Judge Oberto, the
24 defense learned that the subpoenaed hard drive could not be produced as it had been destroyed.
25 Rather, a backup thumb drive could be produced, but that production was ordered diverted to the
26 government as it constituted evidence. Other subpoenaed items either have been or will be
27 produced and the expectation is the amount will be voluminous.

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1 The backup thumb drive is of no value to the defense. The defense is requesting
2 additional time to digest and analyze the records that are available and to continue its
3 investigation.

4 The parties agree that the time between the date of this stipulation and the new status
5 conference hearing date of September 10, 2012, shall be excluded in the interests of justice,
6 including but not limited to continuity of counsel and reasonable time necessary for effective
7 preparation pursuant to 18 U.S.C. Sections 3161(h)(7)(A) and 3161 (h)(1)(B)(I) and (iv).

8 For the reasons set forth above, the parties respectfully request that the hearing scheduled
9 for July 23, 2012 at 1:30 p.m. be dropped from the calendar and anew status conference be
10 scheduled for September 10, 2012, at 1:30 p.m.

11 Dated: July 19, 2012

Respectfully submitted,

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13 BENJAMIN B. WAGNER
United States Attorney

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15 By /S/ Kimberly Sanchez
KIMBERLY SANCHEZ
16 Assistant U.S. Attorney

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18 Dated: July 19, 2012

By /S/ Dale A. Blickenstaff
DALE A. BLICKENSTAFF
19 Attorney for BRANDON SHAWN GREENE

20
21 **IT IS SO ORDERED.**

22 Time is excluded pursuant to 18 U.S.C. Sections 3161(h)(7)(A) and 3161(h)(7)(B)(I) and (iv).

23 **IT IS SO ORDERED.**

24
25 Dated: July 19, 2012

/s/ Dennis L. Beck
26 UNITED STATES MAGISTRATE JUDGE