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9 IN THE UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
12 Plaintiff,
13 v.
14 RAY WILLIAM URIBE,
15 Defendant.
16

CASE NO. 1:17-CR-00240-ADA-BAM
1:22-CR-00142-ADA-BAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
ORDER

DATE: April 12, 2023
TIME: 2 p.m.
COURT: Hon. Barbara A. McAuliffe

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and
19 through defendant's counsel of record, hereby stipulate as follows:

20 1. By previous order, case number 22-cr-142 was set for status on April 12, 2023 and case
21 number 17-cr-240, a petition alleging a violation of supervised release, was set for status on April 12,
22 2023 at 2 p.m. on the duty calendar.

23 2. By this stipulation, the parties now move to continue the conference in both matters until
24 June 14, 2023, and to exclude time between April 12, 2023, and June 14, 2023, under Local Code T4.

25 3. The parties agree and stipulate, and request that the Court find the following:

26 a) The discovery as to these matters has been provided to the defense.

27 b) A plea agreement encompassing both matters before the Court was approved and
28 sent to counsel for defendant February 15, 2023. Counsel for defendant needs time to review the

1 plea agreement, review discovery in both matters as well as conduct any investigation warranted.
2 Counsel for defendant believes that failure to grant the above-requested continuance would deny
3 him/her the reasonable time necessary for effective preparation, taking into account the exercise
4 of due diligence.

5 c) Based on the above-stated findings, the ends of justice served by continuing the
6 case as requested outweigh the interest of the public and the defendant in a trial within the
7 original date prescribed by the Speedy Trial Act.

8 d) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
9 et seq., within which trial must commence, the time period of April 12, 2023 to June 14, 2023,
10 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]
11 because it results from a continuance granted by the Court at defendant's request on the basis of
12 the Court's finding that the ends of justice served by taking such action outweigh the best interest
13 of the public and the defendant in a speedy trial.

14 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
15 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
16 must commence.

17 IT IS SO STIPULATED.

18
19 Dated: April 5, 2023

PHILLIP A. TALBERT
United States Attorney

20
21 /s/ LAUREL J. MONTOYA
LAUREL J. MONTOYA
22 Assistant United States Attorney

23
24 Dated: April 5, 2023

/s/ ERIC V. KERSTEN
ERIC V. KERSTEN
25 Counsel for Defendant
26 RAY WILLIAM URIBE,

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ORDER

IT IS SO ORDERED that the status conference is continued from April 12, 2023, to **June 14, 2023, at 1:00 p.m. before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: April 5, 2023

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE