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Attorneys for Plaintiff  
United States of America

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.  
  
RAY WILLIAM URIBE,  
  
Defendant.

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: June 14, 2023  
TIME: 2 p.m.  
COURT: Hon. Barbara A. McAuliffe

**STIPULATION**

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

1. By previous order, case number 22-cr-142 was set for status on June 14, 2023 and case number 17-cr-240, a petition alleging a violation of supervised release, was set for status on June 14, 2023 at 2 p.m. on the duty calendar.

2. By this stipulation, the parties now move to continue the conference in both matters until August 9, 2023, and to exclude time between June 14, 2023, and August 9, 2023, under Local Code T4.

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

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

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

1 review discovery in both matters as well as conduct any investigation warranted. Counsel for  
2 defendant believes that failure to grant the above-requested continuance would deny him/her the  
3 reasonable time necessary for effective preparation, taking into account the exercise of due  
4 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 June 14, 2023 to August 9, 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 Dated: June 7, 2023

19 PHILLIP A. TALBERT  
United States Attorney

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

23 Dated: June 7, 2023

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

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**ORDER**

IT IS SO ORDERED that both of the status conferences are continued from June 14, 2023, to **August 9, 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: **June 7, 2023**

/s/ Barbara A. McAuliffe  
UNITED STATES MAGISTRATE JUDGE