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United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.
MAURILIO SERRANO CARDENAS,

Defendant.

CASE NO. 1:18-CR-00068-DAD-BAM-2

STIPULATION TO VACATE TRIAL
CONFIRMATION DATE, SET CHANGE OF
PLEA, AND EXCLUDE TIME UNDER SPEEDY
TRIAL ACT; AND ORDER

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through his counsel of record, hereby stipulate as follows.

1. This case was previously set for trial confirmation hearing on April 25, 2022.
2. On today's date, the defendant's signed plea agreement was filed with the court.
3. By this stipulation, the parties now move to vacate the trial confirmation hearing (as to this defendant only) and set a change of plea hearing on April 18, 2022.
4. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case has been either produced directly to counsel and/or made available for inspection and copying. The government is aware of its ongoing discovery obligations.
 - b) Counsel for defendant desires additional time to review discovery, discuss with his client the proposed resolution in this case, and prepare his client for a change of plea hearing.
 - c) Counsel for defendant believes that failure to grant the above-requested

continuanace would deny him the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

d) The government does not object to the continuance.

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

5. As time had been previously been excluded until the trial confirmation hearing date (April 25), the parties are in agreement that time shall remain excluded through the new change of plea hearing date on April 18, 2022, pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4], because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial.

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

IT IS SO STIPULATED.

Dated: March 15, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ JESSICA A. MASSEY
JESSICA A. MASSEY
Assistant United States Attorney

Dated: March 15, 2022

/s/ RICHARD MEHDI OBERTO
RICHARD MEHDI OBERTO
Counsel for Defendant
MAURILIO SERRANO CARDENAS

ORDER

IT IS SO ORDERED that the trial confirmation set for April 25, 2022, and the jury trial set for May 10, 2022, are VACATED as to Defendant MAURILIO SERRANO CARDENAS. A change of plea hearing is set for **April 18, 2022, at 9:00 a.m. before District Judge Dale A. Drozd**. Time is excluded pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: March 16, 2022

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE