

RICHARD M. OBERTO  
ATTORNEY AT LAW  
State Bar no. 247285  
516 W. Shaw Ave. Ste 200  
Fresno, California 93704  
Telephone: (559) 221-2557

Attorney for Defendant,  
Maurillo Serrano-Cardenas

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

*Plaintiff,*

vs.

MAURILLO SERRANO-CARDENAS,  
et al.,

*Defendant,*

No. 1:18-cr-00068 ADA BAM

**STIPULATION TO CONTINUE  
CHANGE OF PLEA HEARING IN THE  
CASE OF THE DEFENDANT  
MAURILLO SERRANO-CARDENAS;  
ORDER**

On March 16, 2022, the prosecution filed the fully executed “Memorandum of Plea Agreement Pursuant to Rule 11(c)(1)(B) of the Federal Rules of Criminal Procedure” in the matter of the defendant MAURILLO SERRANO-CARDENAS (“Mr. Serrano-Cardenas”). Dkt. No. 46. Mr. Serrano-Cardenas was intending to appear for a change of plea hearing and enter a guilty plea shortly before the co-defendant RAMON MAGANA (“Mr. Magana”) confirmed his matter for trial. Earlier this year, Mr. Magana’s matter was scheduled for trial, but he vacated the trial date to litigate a motion to suppress evidence. That litigation recently concluded, and Mr. Magana has a status conference hearing scheduled for September 28, 2022. At that time, Mr. Magana may request another trial setting. Meanwhile, Mr. Serrano-Cardenas wishes to continue and exclude time so that his change of plea hearing occurs shortly before Mr. Magana’s anticipated trial confirmation hearing. A stipulation and proposed order follow below.

STIPULATION

Counsel for the prosecution and Mr. Serrano-Cardenas hereby stipulate that the ends of justice under 18 U.S.C. § 3161(h)(7)(A), B(iv), justify a continuance of Mr. Serrano-Cardenas' change of plea hearing from the currently scheduled date of September 26, 2022, to the new date of March 6, 2023. The parties stipulate that under the Speedy Trial Act and 18 U.S.C. § 3161(h)(7)(A), B(iv), time should be excluded up until the new hearing date of March 6, 2023. The currently scheduled September 26th hearing date should be vacated.

The ends of justice served by the granting of said continuance and exclusion of time are as follows: (i) Counsel for Mr. Serrano-Cardenas wants additional time to consult with Mr. Serrano-Cardenas and develop strategies related to mitigation at sentencing; (ii) counsel for Mr. Serrano-Cardenas believes that failure to grant the above-requested continuance would deny Mr. Serrano-Cardenas the reasonable time necessary for effective preparation, taking into account the exercise of due diligence; and (iii) the prosecution does not object to the continuance. Accordingly, the ends of justice served by continuing the case as stipulated outweigh the interest of the public and Mr. Serrano-Cardenas in a trial within the current date prescribed by the Speedy Trial Act.

IT IS SO STIPULATED.

Dated: 9/21/2022

/s/ Richard M. Oberto  
RICHARD M. OBERTO  
Attorney for Defendant  
Maurillo Serrano-Cardenas

Dated: 9/21/2022

/s/ Jessica Massey  
JESSICA MASSEY  
Assistant United States Attorney

**ORDER**

IT IS SO ORDERED that as to the defendant MAURILLO SERRANO-CARDENAS, the change of plea hearing set for September 26, 2022, is VACATED and a new change of plea hearing is set for March 6, 2023, at 8:30 a.m., in Courtroom 1 of the United States District Court for the Eastern District of California, Fresno Division, before the Honorable United States District Judge Ana I. de Alba. Time is excluded as to Mr. Serrano-Cardenas under 18 U.S.C. § 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: September 22, 2022

  
UNITED STATES DISTRICT JUDGE