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

UNITED STATES OF AMERICA,)	CASE NO. CR S-04-0443 DAD
)	
Plaintiff,)	STIPULATION, DECLARATION AND
)	ORDER VACATING SENTENCING
v.)	HEARING AND WRIT OF HABEAS
)	CORPUS AD PROSEQUENDUM AND
CARL DEWAYNE HUGHES,)	SETTING JUDGMENT AND SENTENCE
)	
Defendant.)	DATE: August 29, 2006
)	TIME: 10:00 a.m.
)	COURT: Hon. Dale A. Drozd

Stipulation

The parties, through their respective counsel, stipulate that the status conference scheduled for August 29, 2006, may be continued to October 31, 2006, at 10:00 a.m.

As stated in the previous Stipulation, Declaration and Order Vacating Sentencing Hearing and Writ of Habeus Corpus Ad Prosequendum and Setting Status Conference dated January 23, 2006, the government's case should not proceed to sentencing until the Modoc County case has been resolved.

On August 8, 2006, Gretchen Boger, an intern in the Misdemeanor Unit, spoke with Jordan Funk, the Modoc County District Attorney

1 regarding the status of the defendant's Modoc County felony case.
2 Ms. Boger learned that the trial on July 19, 2006, had resulted in a
3 guilty verdict and that Mr. Hughes will be sentenced on September
4 12, 2006. Furthermore, the defendant is still in custody in Modoc
5 County within the jurisdiction of the State of California.

6 DATED: August 15, 2006

McGREGOR W. SCOTT
United States Attorney

8 By: /s/ Matthew C. Stegman
MATTHEW C. STEGMAN
9 Assistant U.S. Attorney

10
11 DATED: August 16, 2006

/s/ Eric H. Hintz
ERIC H. HINTZ
12 Counsel for Defendant
13 Carl DeWayne Hughes

14 Order

15 Good cause appearing, the Court enters the following order:

16 The status conference scheduled for August 29, 2006 is vacated
17 and judgment and sentence is scheduled October 31, 2006 at 10:00
18 a.m.

19 IT IS SO ORDERED.

20 DATED: August 18, 2006.

21 
22 DALE A. DROZD
23 UNITED STATES MAGISTRATE JUDGE

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25 Ddad1/orders.criminal/hughes0443.ord
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