

EVANS D. PRIESTON, Esq.
LAW OFFICES OF RUBEN MUNOZ
111 W. ST. JOHN STREET
SUITE 555
TEL: (408) 287-6666
FAX: (408) 287-6660

Attorney for Defendant:
MARGARITO GALLARDO

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

UNITED STATES OF AMERICA,)	CASE NO.: 07-CR-431
)	
Plaintiff,)	STIPULATION AND (PROPOSED)
)	ORDER
v.)	
)	
MARGARITO GALLARDO,)	
)	
Defendant.)	
_____)	

Defendant, Margarito Gallardo, through his undersigned counsel and the government, through Assistant United States Attorney, Jill Thomas, hereby agree and stipulate that, subject to the Court's approval, that the date and time for Status Conference in the above-entitled case February 8, 2008, at 9:00 a.m. be vacated and reset for further Status Conference to take place on February 15, 2008 at 9:00 a.m. This is

1 necessary because defense counsel is engaged in jury trial in the matter of People of
2 the State of New York v. Joco, Case No.: 2355/07. At this time, the jury in said matter
3 is engaged in deliberations and has been so engaged since February 4, 2008.
4

5 The parties further stipulate and agree that time from the date of this
6 Order through the date of the status conference set for February 15, 200 be
7 excluded from the speedy trial calculation pursuant to 18 U.S.C. §§
8 3161(h)(8)(B)(iv) (continuation of counsel and reasonable time to prepare) and
9 Local Rule T4 and based on a finding by the court that the ends of justice served
10 by granting a continuance outweigh the best interest of the public and the
11 defendants in a speedy trial.
12

13 In addition, the Assistant United States Attorney, Jill Thomas has authorized
14 defense counsel to sign this stipulation on her behalf.
15

16 Dated: February _7____, 2007

_____/s/ Jill Thomas_____
JILL THOMAS,
ASSISTANT UNITED STATES ATTORNEY

17
18
19
20 Dated: February __7__, 2007

_____/s/ Evans D. Prieston_____
EVANS D. PRIESTON,
Attorney for Margarito Gallardo


21
22 **ORDER**

23
24 GOOD CAUSE APPEARING,

25 IT IS ORDERED that the Status Conference in the above-entitled
26 case set for February 8, 2008, at 9:00 a.m. is hereby continued and is reset to
27 February 15, 2008 at 9:00 a.m. IT IS FURTHER ORDERED THAT the time
28

from February 8, 2008 to February 8, 2008 shall be excluded under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(iv) (continuation of counsel and reasonable time to prepare) and Local Rule T4 and based on a finding by the court that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendants in a speedy trial.

Dated: February 15, 2008



GARLAND E. BURRELL, JR.
United States District Judge