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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,) CASE NO. CR S-09-074 JAM
12)
Plaintiff,) STIPULATION AND ORDER TO
13 v.) CONTINUE STATUS CONFERENCE TO
MAY 10, 2011
14)
DUANE ALLEN EDDINGS,)
15)
Defendant.)
16)
_____)

17
18 It is hereby stipulated and agreed to between plaintiff, UNITED
19 STATES OF AMERICA, through its counsel of record, Matthew C. Stegman,
20 Assistant United States Attorney, and defendant DUANE ALLEN EDDINGS,
21 through his counsel of record, Joseph J. Wiseman, that the status
22 conference scheduled for April 26, 2011, at 9:30 a.m., be rescheduled
23 to May 10, 2011, at 9:30 a.m.

24 The parties further stipulate and agree that a continuance is
25 appropriate in this case and request that the time beginning April
26 26, 2011, and extending through May 10, 2011, be ordered excluded
27 from the calculation of time under the Speedy Trial Act. The ends of
28 justice will be served by the Court excluding such time, so that the

1 attorneys may have reasonable time necessary for effective
2 preparation, taking into account the exercise of due diligence. 18
3 U.S.C. § 3161(h)(7).

4 The government has informed defense counsel that it is awaiting
5 approval from the Tax Division of the United States Department of
6 Justice before moving forward on criminal tax charges. It is
7 expected that a superseding indictment charging additional crimes
8 such as tax evasion and bankruptcy fraud will be returned. Defense
9 counsel will then need additional time to review and consider these
10 additional charges before setting this case for trial.

11 The parties submit that the interests of justice served by
12 granting this continuance outweigh the best interests of the public
13 and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7).

14 Respectfully submitted,

15 BENJAMIN B. WAGNER
16 United States Attorney

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18 DATE: April 20, 2011

By: /s/ Matthew Stegman
19 MATTHEW STEGMAN
Assistant U.S. Attorney

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22 DATE: April 20, 2011

/s/ Joseph J. Wiseman
23 JOSEPH J. WISEMAN
Attorney for DUANE ALLEN EDDINGS

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ORDER

GOOD CAUSE HAVING BEEN SHOWN, IT IS HEREBY ORDERED THAT the status hearing in the above-captioned case be continued to May 10, 2011, at 9:30 a.m. IT IS FURTHER ORDERED THAT the time from the date of this Order to May 10, 2011, be excluded pursuant to 18 U.S.C. §§ 3161(h) (7) (ends of justice are served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial) and Local Rule T4.

Dated: April 20, 2011

/s/ John A. Mendez
HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT JUDGE