

1 2 3 4	HEATHER E. WILLIAMS, Bar #122664 Federal Defender MATTHEW M. SCOBLE, Bar #237432 Designated Counsel for Service 801 I Street, 3rd Floor Sacramento, California 95814 Telephone: (916) 498-5700			
5	Attorney for Defendant JAMES CAPALBO			
6 7				
8	IN THE UNITED STATES DISTRICT COURT			
9	FOR THE EASTERN DISTRICT OF CALIFORNIA			
10	UNITED STATES OF AMERICA,)	NO. CR.S-12-419-GEB		
11) Plaintiff,			
12)	STIPULATION AND [PROPOSED] ORDER; CONTINUING STATUS CONFERENCE		
13	V.)	AND EXCLUDING TIME		
14	JAMES CAPALBO,	Date: September 27, 2013		
15	Defendant.)	Time: 9:00 a.m. Judge: Hon. Garland E. Burrell Jr.		
16 17	IT IS HEREBY STIPULATED by and bet	ween the parties hereto through their respective counsel,		
18	KYLE REARDON, Assistant United States Attorney, attorney for Plaintiff, and MATTHEW SCOBLE,			
	attorney for JAMES CAPALBO, that the status conference hearing date of September 13, 2013 be vacated, and the matter be set for status conference on September 27, 2013 at 9:00 a.m. The reason for this continuance is to allow defense counsel additional time to review discovery with the defendant, to examine possible defenses and to continue investigating the facts of the case.			
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22	Based upon the foregoing, the parties agree	e that the time under the Speedy Trial Act should be		
23	excluded from the date of signing of this order through and including September 27, 2013 pursuant to 18			
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25		U.S.C. §3161 (h)(7)(A)and (B)(iv)[reasonable time to prepare] and Local Code T4 based upon continuity		
26	of counsel and defense preparation.			
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1	DATED: September 17, 2013	Respectfully submitted,
2		HEATHER E. WILLIAMS
3		Federal Public Defender
4		/a/ Matthay, Cashla
5		/s/ Matthew Scoble MATTHEW SCOBLE
6		Designated Counsel for Service Attorney for JAMES CAPALBO
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8	DATED: September 17, 2013	BENJAMIN WAGNER United States Attorney
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10		/s/ Matthew Scoble for
11		KYLE REARDON Assistant U.S. Attorney
12		Attorney for Plaintiff
13		ORDER
14	LIPON GOOD CALISE SHOWN and	the stipulation of all parties, it is ordered that the September
15	13, 2013, status conference hearing be continued to September 27, 2013, at 9:00 a.m. Based on the	
	representation of defense counsel and good cause appearing there from, the Court hereby finds that the	
17	failure to grant a continuance in this case would deny defense counsel reasonable time necessary for	
18	effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of	
19	justice to be served by granting a continuance outweigh the best interests of the public and the defendant in	
20	a speedy trial. It is ordered that time up to and including the September 27, 2013 status conference shall be	
21	excluded from computation of time within which the trial of this matter must be commenced under the	
22	Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv) and Local Code T-4, to allow defense	
23	counsel reasonable time to prepare.	
24	Dated: September 17, 2013	
25		$f_{0} = D_{0}$
26	GARLAND E. BURRELLI, JR.	
27		Senior United States District Judge

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