

Michael E. Hansen [SBN 191737]
Attorney-at-Law
711 Ninth Street, Suite 100
Sacramento, CA 95814
916.438.7711
FAX 916.864.1359
Email: mhansen@criminal-defenses.com

Attorney for Defendant
EARSHELL HAYES

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL MATHEWS, et al,

Defendant.

No. 2:15-CR-00118-MCE

**AMENDED STIPULATION AND ORDER
TO CONTINUE STATUS CONFERENCE,
AND TO EXCLUDE TIME PURSUANT TO
THE SPEEDY TRIAL ACT**

IT IS HEREBY STIPULATED by and between the parties hereto through their respective counsel, Paul Hemesath, Assistant United States Attorney, attorney for plaintiff; Mark Reichel, attorney for defendant Michael Mathews; Gregory Foster attorney for defendant David Dixon; Philip Cozens attorney for defendant Leon Fields, Jr. and Michael E. Hansen, attorney for defendant Earshell Hayes, that the previously-scheduled status conference date of September 17, 2015, be vacated and the matter set for status conference on November 5, 2015, at 9:00 a.m.

This continuance is requested because defense counsel needs additional time to review discovery received in this case. All counsel were retained or appointed within the last 120 days.

The Government concurs with this request.

Further, the parties agree and stipulate the ends of justice served by the granting of such a continuance outweigh the best interests of the public and the defendants in a

1 speedy trial and that time within which the trial of this case must be commenced under
2 the Speedy Trial Act should therefore be excluded under 18 U.S.C. section
3 3161(h)(7)(B)(iv), corresponding to Local Code T4 (to allow defense counsel time to
4 prepare), from the date of the parties' stipulation, September 15, 2015, to and including
5 November 5, 2015.

6 Accordingly, the parties respectfully request the Court adopt this proposed
7 stipulation.

8 IT IS SO STIPULATED.

9 Dated: September 16, 2015

Respectfully submitted,

10 /s/ Michael E. Hansen
11 MICHAEL E. HANSEN
12 Attorney for Defendant
EARSHELL HAYES

13 By: /s/ Michael E. Hansen for
14 GREGORY FOSTER
Attorney for Defendant
DAVID DIXON

15 By: /s/ Michael E. Hansen for
16 MARK REICHEL
Attorney for Defendant
MICHAEL MATHEWS

17 By: /s/ Michael E. Hansen for
18 PHILIP COZENS
19 Attorney for Defendant
LEON FIELDS, JR.

20 Dated: September 16, 2015

BENJAMIN B. WAGNER
United States Attorney

21 By: /s/ Michael E. Hansen for
22 PAUL HEMESATH
23 Assistant U.S. Attorney
24 Attorney for Plaintiff
25
26
27
28


ORDER

The Court, having received, read, and considered the stipulation of the parties, and good cause appearing therefrom, adopts the stipulation of the parties in its entirety as its order. Based on the stipulation of the parties and the recitation of facts contained therein, the Court finds that it is unreasonable to expect adequate preparation for pretrial proceedings and trial itself within the time limits established in 18 U.S.C. section 3161. In addition, the Court specifically finds that the failure to grant a continuance in this case would deny defense counsel to this stipulation reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds that the ends of justice to be served by granting the requested continuance outweigh the best interests of the public and the defendants in a speedy trial.

The Court orders that the time from the date of the parties' stipulation, September 16, 2015, to and including November 5, 2015, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. section 3161(h)(7)(B)(iv), and Local Code T4 (reasonable time for defense counsel to prepare). It is further ordered that the September 17, 2015, status conference shall be continued until November 5, 2015, at 9:00 a.m.

IT IS SO ORDERED.

Dated: September 18, 2015


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT