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Attorney for Defendant  
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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

**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 July 16, 2015, be vacated and the matter set for status conference on September 17, 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 60 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, July 16, 2015, to and including  
5 September 17, 2015.

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

8 IT IS SO STIPULATED.

9 Dated: July 14, 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: July 14, 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  
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**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, July 16, 2015, to and including September 17, 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 July 16, 2015, status conference shall be continued until September 17, 2015, at 9:00 a.m.

**IT IS SO ORDERED.**

Dated: July 17, 2015

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