

1 MCGREGOR W. SCOTT  
United States Attorney  
2 PAUL HEMESATH  
Assistant United States Attorney  
3 501 I Street, Suite 10-100  
Sacramento, CA 95814  
4 Telephone: (916) 554-2700  
Facsimile: (916) 554-2900  
5

6 Attorneys for Plaintiff  
United States of America  
7

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

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 v.  
14 DAVID WILLIAM DIXON,  
15 Defendant.  
16

CASE NO. 2:15-CR-00118-GEB  
STIPULATION REGARDING EXCLUDABLE  
TIME PERIODS UNDER SPEEDY TRIAL ACT;  
[PROPOSED] FINDINGS AND ORDER  
DATE: March 2, 2018  
TIME: 9:00 a.m.  
COURT: Hon. Garland E. Burrell, Jr.

17 **STIPULATION**

18 Plaintiff United States of America, by and through its counsel of record, and defendant, by and  
19 through defendant's counsel of record, hereby stipulate as follows:

- 20 1. By previous order, this matter was set for status on March 2, 2018.
- 21 2. By this stipulation, defendant now moves to continue the status conference until March  
22 16, 2018, and to exclude time between March 2, 2018, and March 16, 2018, under Local Code T4.
- 23 3. The parties agree and stipulate, and request that the Court find the following:
- 24 a) The government has represented that the discovery associated with this case  
25 includes hundreds of pages of discovery, financial reports and other documents. All of this  
26 discovery has been either produced directly to counsel and/or made available for inspection and  
27 copying.
- 28 b) Counsel for defendant desires additional time to consult with his client and to

1 compare the fact in this discovery with the proposed disposition in the case.

2 c) Counsel for defendant believes that failure to grant the above-requested  
3 continuance would deny him/her the reasonable time necessary for effective preparation, taking  
4 into account the exercise of due diligence.

5 d) The government does not object to the continuance.

6 e) Based on the above-stated findings, the ends of justice served by continuing the  
7 case as requested outweigh the interest of the public and the defendant in a trial within the  
8 original date prescribed by the Speedy Trial Act.

9 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,  
10 et seq., within which trial must commence, the time period of March 2, 2018 to March 16, 2018,  
11 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4]  
12 because it results from a continuance granted by the Court at defendant's request on the basis of  
13 the Court's finding that the ends of justice served by taking such action outweigh the best interest  
14 of the public and the defendant in a speedy trial.

15 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the  
16 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial  
17 must commence.

18 IT IS SO STIPULATED.

19  
20  
21 Dated: February 28, 2018

McGREGOR W. SCOTT  
United States Attorney

22  
23 /s/ PAUL HEMESATH  
PAUL HEMESATH  
Assistant United States Attorney

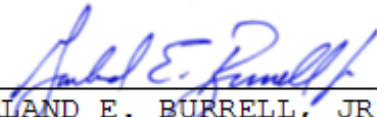
24  
25  
26 Dated: February 28, 2018

27 /s/ KYLE KNAPP  
KYLE KNAPP  
Counsel for Defendant  
David William Dixon

**FINDINGS AND ORDER**

IT IS SO FOUND AND ORDERED.

Dated: March 2, 2018

  
\_\_\_\_\_  
GARLAND E. BURRELL, JR.  
Senior United States District Judge