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Attorney for Defendant
MICHAEL MATHEWS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No.: 15-0118 MCE
)	
Plaintiff,)	STIPUATION AND ORDER TO CONTINUE
)	STATUS CONFERENCE AND EXCLUDE
v.)	TIME UNDER THE SPEEDY TRIAL ACT
)	
MICHAEL MATHEWS ET. AL.)	DATE: December 10, 2015
)	TIME: 9:00 a.m.
Defendants.)	COURTROOM: MORRISON C. ENGLAND
_____)	JR.

Plaintiff United States of America, by and through its counsel of record, and defendants MICHAEL MATHEWS, EARSHELL HAYES, LEON FIELDS, and DAVID DIXON, by and through their counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status December 10, 2015.
2. By this stipulation, defendant now moves to continue the status conference until February 11, 2016, and to exclude time between December 10, 2015 and February 11, 2016 under Local Code T4. Plaintiff does not oppose this request.
3. The parties agree and stipulate, and request that the Court find the following:
 - a. The government has provided initial discovery of over 300 pages. Further discovery is expected to be produced shortly.

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1 b. Counsel for defendants desire additional time to complete the review of
2 discovery, to conduct defense investigation, and to discuss potential resolution with
3 their clients. Counsels have also been continuing to engage in negotiations with the government.

4 c. Counsel for defendants believes that failure to grant the above-requested
5 continuance would deny them the reasonable time necessary for effective preparation,
6 taking into account the exercise of due diligence.

7 d. The government does not object to the continuance.

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

11 f. For the purpose of computing time under the Speedy Trial Act, 18 U.S.C.
12 § 3161, et seq., within which trial must commence, the time period of December 10, 2015 to
13 February 11, 2016, inclusive, is deemed excludable pursuant to 18 U.S.C. §
14 3161(h) (7) (A), B (iv) [Local Code T4] because it results from a continuance granted by
15 the Court at defendant's request on the basis of the Court's finding that the ends of
16 justice served by taking such action outweigh the best interest of the public and the
17 defendant in a speedy trial.

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

IT IS SO STIPULATED.

Dated: December 8, 2015

/s/ Patrick K. Hanly
Attorney for Michael Mathews

Dated: December 8, 2015

/s/ Kelly Babineau
KELLY BABINEAU
Attorney for Earshell Hayes

Dated: December 8, 2015

/s/Philip Cozens
PHILIP COZENS
Attorney for Leon Fields

Dated: December 8, 2015

/s/Gregory Foster
GREGORY FOSTER
Attorney for David Dixon

Benjamin B. Wagner
UNITED STATES ATTORNEY

Dated: December 8, 2015

by: /s/ Paul Hemesath
Assistant U.S. Attorney

IT IS SO ORDERED.

Dated: December 10, 2015



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