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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JASON SEBASTIAN SPARKS, Defendant.	CASE NO. 2:16-CR-00095-JAM STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT; FINDINGS AND ORDER DATE: January 10, 2017 TIME: 9:15 a.m. a.m. COURT: Hon. John A. Mendez

STIPULATION

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

1. By previous order, this matter was set for status on January 10, 2017.

2. By this stipulation, defendant now moves to continue the status conference until March 7, 2017 at 9:15 a.m., and to exclude time between January 10, 2017, and March 7, 2017 at 9:15 a.m., under Local Code T4.

3. The parties agree and stipulate, and request that the Court find the following:

a) The government has represented that the discovery associated with this case includes over 400 pages of documents, an audio and video recording of the defendant's interview with law enforcement, as well as a computer and other physical evidence that contains material protected by the Adam Walsh Act. All of this discovery has been either produced directly to counsel and/or made available for inspection.

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b) Counsel for defendant desires additional time for review of the physical evidence, which requires coordination with the FBI, to conduct further investigation and research, and to further consult and discuss potential resolutions with his client.

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

d) The government does not object to the continuance.

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

f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161, et seq., within which trial must commence, the time period of January 10, 2017 to March 7, 2017 at 9:15 a.m., inclusive, is deemed excludable pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's request on the basis of the Court's finding that the ends of justice served by taking such action outweigh the best interest of the public and the 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: January 5, 2017

PHILLIP A. TALBERT
United States Attorney

/s/ SHELLEY D. WEGER
SHELLEY D. WEGER
Assistant United States Attorney

Dated: January 5, 2017

/s/ Jerome Price
Jerome Price
Counsel for Defendant
Jason Sebastian Sparks

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 6th day of January, 2017

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE