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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOHN ROGERS,

Defendant.

CASE NO. 2:17-CR-00018 JAM

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
FINDINGS AND ORDER

DATE: March 21, 2017
TIME: 9:00 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. This matter is presently set for a status conference on March 21, 2017. By this stipulation, the parties now move to continue the status conference until May 9, 2017 at 9:15 a.m., and to exclude time between March 21 and May 9, 2017 at 9:15 a.m., under Local Code T4.

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

a) The Government represents that the discovery associated with this case presently comprises approximately eighty-five pages of documents and an audio/visual recording that is approximately ninety minutes long. This discovery has been produced directly to Defendant's counsel.

b) Counsel for Defendant continues to review the discovery, conduct his

1 investigation, and consult with Defendant about how to proceed with the case, including whether
2 to pursue a resolution with the Government.

3 c) Counsel for Defendant submits that failure to grant the requested continuance
4 would deny him reasonable time to consult with his client and assess how to proceed with this
5 case, including whether and on what terms to resolve the case, taking into account the exercise of
6 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 continuing the
9 case as requested outweigh the interest of the public and Defendant in a trial within the original
10 date prescribed by the Speedy Trial Act.

11 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
12 et seq., within which trial must commence, the time period of March 21 to May 9, 2017 at 9:15
13 a.m., inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
14 T4] because it results from a continuance granted by the Court at the parties' request on the basis
15 of the Court's finding that the ends of justice served by taking such action outweigh the best
16 interest of the public and Defendant in a speedy trial.

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

20 IT IS SO STIPULATED.

21 Dated: March 20, 2017

22 PHILLIP A. TALBERT
United States Attorney

23 /s/ OWEN ROTH
24 OWEN ROTH
25 Assistant United States Attorney

26 Dated: March 20, 2017

27 /s/ JOHNNY GRIFFIN
JOHNNY GRIFFIN
Counsel for Defendant
28 JOHN ROGERS

FINDINGS AND ORDER

IT IS SO FOUND AND ORDERED this 20th day of March, 2017.

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE