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DEBORAH POLLARD

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, vs. DEBORAH LYNN POLLARD, Defendant.	Case No.: 2:17-CR-023 DAD STIPULATION AND ORDER CONTINUING STATUS CONFERENCE AND EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT Date: January 19, 2023 Time: 9:30 a.m. Court: Hon. Dale A. Drozd

This matter is presently set for trial confirmation hearing on January 19, 2023, and trial for February 27, 2023. The case involves a charged conspiracy to distribute cocaine base. The Drug Enforcement Administration's investigation included the use of confidential sources, controlled purchases, and court-authorized wiretaps of a pager and two cellular telephones. The government has provided voluminous discovery to defense counsel, including nearly 500 pages of investigative reports and three discs of recordings and other materials.

The parties to this action, Plaintiff United States of America by and through Assistant

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

United States Attorney Jason Hitt and Attorney Toni White on behalf of Defendant Deborah Lynn Pollard, stipulate as follows:

1. By this stipulation, Defendant now moves to vacate the trial confirming conference presently set for January 19, 2023, and the trial currently set for February 27, 2023. The parties request to set the matter for a change of plea on February 14, 2023, and to exclude time between January 19, 2023, and February 14, 2023, under Local Code T-4. The United States does not oppose this request.
2. Defense counsel is engaged in ongoing review of the discovery and defense investigation related to potential defenses in this matter as they relate to trial and resolution.
3. Defense counsel represents and believes that failure to grant additional time as requested would deny her the reasonable time necessary for effective preparation, considering the exercise of due diligence.
4. Based on the above-stated facts, the parties jointly request that the Court find that the ends of justice served by continuing the case as requested outweigh the best interest of the public and the Defendant in a trial within the time prescribed by the Speedy Trial Act.
5. 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 19, 2023 to February 14, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), and (B) (iv) [Local Code T-4] because it results from a continuance granted by the Court at Defendant's request on the basis that the ends of justice served by taking such action outweigh the best interest of the public and the

Defendant in a speedy trial.

6. 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.

DATED: January 12, 2023

By /s/ Jason Hitt
JASON HITT
Assistant United States Attorney

DATED: January 12, 2023

By /s/ Toni White
TONI L. WHITE
Attorney for Defendant
DEBORAH POLLARD

ORDER

BASED ON THE REPRESENTATIONS AND STIPULATION OF THE PARTIES, it is hereby ordered that the trial confirmation hearing in this matter, scheduled for January 19, 2023, is vacated and that the trial in this matter, scheduled for February 27, 2023, is vacated. In light of the representations of counsel, a change of plea hearing is hereby scheduled for February 14, 2023, at 9:30 a.m.. The Court further finds, based on the representations of the parties, that the ends of justice served by granting the continuance outweigh the best interests of the public and the defendants in a speedy trial. Time shall be excluded under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(B)(iv) and Local Code T-4, to allow necessary attorney preparation taking into consideration the exercise of due diligence for the period from January 19, 2023, up to and including February 14, 2023.

IT IS SO ORDERED.

Dated: **January 17, 2023**

Dale A. Drozd

UNITED STATES DISTRICT JUDGE