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Attorney for Defendant
MICHAEL RICHARD MAXWELL

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MICHAEL RICHARD MAXWELL, Defendant.	Case No. 2:17-cr-101-TLN **STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME** DATE: December 9, 2021 TIME 9:30 a.m. JUDGE: Hon. Troy L. Nunley

IT IS HEREBY STIPULATED by and between Phillip A. Talbert, Acting United States Attorney through Heiko P. Coppola and James Conolly, Assistant United States Attorneys, attorneys for Plaintiff, and Heather Williams, Federal Defender, through Assistant Federal Defender Lexi P. Negin and Mia Crager attorneys for Michael Richard Maxwell, that the status hearing be continued to January 6, 2022 and that the Court exclude time pursuant to the Speedy Trial Act.

Defense counsel desires additional time to consult with their client, to review discovery, to evaluate potential defenses, and to otherwise prepare for trial. In light of Covid 19, and the limitations and challenges presented, counsel's schedule requires more time to complete these essential functions. The parties also believe they are close finalizing to a plea agreement and may request that the case be set for a change of plea on January 6, 2022.

Defense counsel believes that failure to grant the above-requested continuance would

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deny her the reasonable time necessary for effective preparation, taking into account the exercise of due diligence and the difficulties that the COVID-19 pandemic creates for effective client preparation and consultation.

The government does not object to the continuance.

Based upon the foregoing, the parties agree time under the Speedy Trial Act should be excluded from this order's date through and including January 6, 2022, as previously ordered, pursuant to 18 U.S.C. §3161 (h)(7)(A)and (B)(iv)[reasonable time to prepare] and General Order 479, Local Code T4 based upon continuity of counsel and defense preparation.

DATED: December 7, 2021

Respectfully submitted,

HEATHER E. WILLIAMS
Federal Defender

/s/ Mia Crager
MIA CRAGER
Assistant Federal Defender
Attorney for MICHAEL RICHARD MAXWELL

DATED: December 7, 2021

PHILLIP A. TALBERT
Acting United States Attorney

/s/ Heiko Coppola
Heiko P. Coppola
Assistant United States Attorney
Attorney for Plaintiff

ORDER

IT IS HEREBY ORDERED, the Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court specifically finds the failure to grant a continuance in this case would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court finds the ends of justice are served by granting the requested continuance and outweigh the best interests of the public and defendant in a speedy trial.

The Court orders the time from the date the parties stipulated, up to and including January 6, 2022, shall be excluded from computation of time within which the trial of this case must be commenced under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and(B)(iv) [reasonable time for counsel to prepare] and General Order 479, (Local Code T4). **It is further ordered** the December 9, 2021 status conference shall be continued until January 6, 2022, at 9:30 a.m.

DATED: December 8, 2021

Troy L. Nunley
United States District Judge