FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Feb 03, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA, Plaintiff, v. BRITTNEY LEE ZARAGOZA, Defendant.	No. 4:15-cr-6049-EFS-10 **ORDER GRANTING EARLY TERMINATION OF PRETRIAL DIVERSION AGREEMENT AND DISMISSING SECOND SUPERSEDING INDICTMENT AS TO THIS DEFENDANT**

Before the Court, without oral argument, are Defendant Brittney Lee Zaragoza's Motion for Early Termination of Pre-Trial Diversion Agreement, ECF No. 1505, as well as the United States' corresponding Motion for Dismissal of Second Superseding Indictment for Successful Completion of Pre-Trial Diversion Agreement, ECF No. 1510.[1]

Ms. Zaragoza represents that during her more than 30 months of supervision she has fully complied with the Agreement's requirements. The

[1] The Pretrial Diversion Agreement is on file at ECF No. 995.

assigned U.S. Probation Officer has conveyed to the parties his support for early termination, saying, among other positive things, the following:

> Ms. Zaragoza has gone well above just complying with her conditions. . . . Ms. Zaragoza has been of those rare cases where the individual not only complies with what is expected but also goes above and beyond by taking a hard look at life, sees what is important and does the things needed to make a hard change.[2]

Assistant U.S. Attorney Stephanie Van Marter, appearing on behalf of the United States, agrees with Ms. Zaragoza's request, stating, "Given the position of United States Probation Office and pursuant to the terms of the Diversion agreement, the United States moves to dismiss with prejudice the charges against the Defendant as raised in the Second Superseding Indictment, ECF 105."[3]

Having reviewed the pleadings and the file, the Court is fully informed and finds that sufficient grounds exist to grant early termination of the pretrial diversion agreement and to dismiss the associated charges pursuant to Federal Rule of Criminal Procedure 48(a). The Court commends Ms. Zaragoza for her hard work and accomplishments to date, and the Court encourages her to continue taking such positive steps going forward.

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[2] *See* ECF No. 1505 at 3 (quoting an email sent from the U.S. Probation Office to the parties); *see also* ECF No. 1510 (agreeing that the quotation accurately reflected the U.S. Probation Office's position and statement).

[3] ECF No. 1510 at 2.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant Brittney Lee Zaragoza's Motion for Early Termination of Pre-Trial Diversion Agreement, **ECF No. 1505**, is **GRANTED**.
2. Ms. Zaragoza having satisfactorily completed its terms, the Pretrial Diversion Agreement, **ECF No. 995**, is **TERMINATED**, effective as of the date of this order.
3. The United States' Motion for Dismissal of Second Superseding Indictment for Successful Completion of Pre-Trial Diversion Agreement, **ECF No. 1510**, is **GRANTED.**
4. The Second Superseding Indictment, **ECF No. 105**, is **DISMISSED WITH PREJUDICE** as to Defendant Brittney Lee Zaragoza.
5. All hearings are **STRICKEN**, and all pending motions are **DENIED AS MOOT**.

IT IS SO ORDERED. The Clerk's Office is directed to enter this order and provide copies to all counsel and the U.S. Probation Office.

DATED this 3rd day of February 2022.

s/Edward F. Shea
EDWARD F. SHEA
Senior United States District Judge