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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. JORGE CALDERON-CAMPOS, ALBERTO GOMEZ-SANTIAGO, BYRON ADILIO ALFARO-SANDOVAL, FRANCISCO JAVIER TORRES MORA, JOSE ANGEL BELTRAN-CHAIDEZ, AND MARK GARCIA, Defendants.	CASE NO. 1:22-CR-00131-JLT-SKO STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT; AND ORDER DATE: November 9, 2022 TIME: 1:00 p.m. COURT: Hon. Magistrate Judge Barbara A. McAuliffe

STIPULATION

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

1. By previous order, this matter was scheduled for a status conference on November 9, 2022, before U.S. Magistrate Judge Barbara A. McAuliffe.

2. On September 30, 2022, following the filing of a notice of related cases by the United States in this case and *United States v. Jorge Calderon-Campos*, 1:22-cr-00130-JLT-SKO, U.S. District Judge Jennifer L. Thurston found that this matter was related to *United States v. Jorge Calderon-Campos*, 1:22-cr-00130-JLT-SKO, and ordered the case number in this matter to be changed to 1:22-cr-00131-JLT-SKO. The order was not, however, filed in this matter and the status conference date

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remained unchanged.

3. By this stipulation, the parties move to continue the status conference until February 1, 2023, before U.S. Magistrate Sheila K. Oberto, or the Court's earliest convenience, and to exclude time from calculation under the Speedy Trial Act between November 9, 2022, and February 1, 2023.

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

a) Initial discovery was provided to defendants on or about May 16, 2022, consisting of 1,082 Bates-stamped items including wiretap data, reports of investigation, photographs, recordings of post-arrest interviews, and a summary of each defendant's criminal history. Supplemental discovery will be produced within the next week.

b) Plea offers have been made to Defendants Mark Garcia and Francisco Javier Torres Mora.

c) Counsel for defendants desire additional time to review discovery, consult with their clients, conduct investigation and research related to the charges, consider plea offers, engage in plea negotiations, and to otherwise prepare for trial.

d) Counsel for defendants believe that failure to grant the above-requested continuance would deny them the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

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 defendants 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 November 9, 2022 to February 1, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv), because it results from a continuance granted by the Court at the defendants' 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 defendants in a speedy trial.

5. Nothing in this stipulation and order shall preclude a finding that other provisions of the

Speedy Trial Act provide that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: November 1, 2022

PHILLIP A. TALBERT
United States Attorney

/s/ KAREN A. ESCOBAR
KAREN A. ESCOBAR
Assistant United States Attorney

/s/ DAVID A. TORRES
DAVID A. TORRES
Counsel for defendant Jorge Calderon-Campos

/s/ MICHAEL E. MITCHELL
MICHAEL E. MITCHELL
Counsel for defendant Alberto Gomez-Santiago

/s/ FATIMA RODRIGUEZ
FATIMA RODRIGUEZ
Counsel for defendant Byron Adilio Alfaro-Sandoval

/s/ PATRICK S. AGUIRRE
PATRICK A. AGUIRRE
Counsel for defendant Francisco Javier Torres-Mora

/s/ ALEKXIA L. TORRES STALLINGS
ALEKXIA L. TORRES STALLINGS
Counsel for defendant Jose Angel Beltran-Chaidez

/s/ MARK A. BROUGHTON
MARK A. BROUGHTON
Counsel for defendant Mark Garcia

ORDER

IT IS SO ORDERED that the status conference is continued from November 9, 2022, to **February 1, 2023, at 1:00 p.m. before Magistrate Judge Sheila K. Oberto.** Time is excluded pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **November 1, 2022**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE