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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. FRANCISCO JAVIER TORRES-MORA, Defendant.	CASE NO. 1:22-CR-00131 JLT-SKO STIPULATION REGARDING SETTING FOR CHANGE OF PLEA AND EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT; ORDER DATE: September 20, 2023 TIME: 1:00 p.m. COURT: Hon. Sheila K. Oberto

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. By previous order, this matter was set for a status conference on September 20, 2023.

2. By this stipulation, defendant now moves to vacate the hearing and reset this matter for a change of plea on September 25, 2023, at 10:00 a.m. Time was previously excluded to and through September 20, 2023. It is now requested that time continue to be excluded as to this defendant until September 25, 2023, under 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code T4].

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

a) The parties have reached a plea agreement and the written plea agreement will be filed on September 1, 2023.

b) Counsel for defendant believes that failure to grant the above-requested continuance would deny the defendant the reasonable time necessary for effective preparation,

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taking into account the exercise of due diligence.

c) The government does not object to the continuance.

d) 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 defendant in a trial within the original date prescribed by the Speedy Trial Act.

e) 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 September 20, 2023 to September 25, 2023, inclusive, is deemed excludable pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv) [Local Code T4] because it results from a continuance granted by the Court at defendant's 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.

4. 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.

IT IS SO STIPULATED.

Dated: September 1, 2023

PHILLIP A. TALBERT
United States Attorney

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

Dated: September 1, 2023

/s/ Patrick S. Aguirre
PATRICK S. AGUIRRE
Counsel for Defendant Francisco Javier Torres-Mora

ORDER

IT IS SO ORDERED.

DATED: 9/8/2023

Sheila K. Oberto
THE HONORABLE SHEILA K. OBERTO
UNITED STATES MAGISTRATE JUDGE