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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. PHILLIP VASQUEZ, JR., Defendant.	CASE NO. 1:22-CR-00331-NODJ-BAM STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT; ORDER DATE: January 22, 2025 TIME: 1:00 p.m. COURT: Hon. Barbara A. McAuliffe

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 status conference on January 22, 2025.

2. By this stipulation, defendant now moves to continue the status conference until June 11, 2025, and to exclude time between January 22, 2025, and June 11, 2025, under 18 U.S.C. § 3161(h)(7)(A), B(iv).

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

a) The government has represented that the discovery associated with this case includes investigative reports, several cell phone extractions, photographs, and other evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying.

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b) Counsel for defendant desires additional time to meet with her client, conduct independent investigation, review the discovery, and consider a potential pretrial resolution of the case.

c) The government intends to prepare a formal offer for the defendant and the defendant and his attorney will need time to evaluate that offer, negotiate, and prepare for any change of plea hearing.

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

e) The government does not object to the continuance.

f) 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.

g) 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 22, 2025 to June 11, 2025, 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 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 defendant 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: January 6, 2025

PHILLIP A. TALBERT
United States Attorney

/s/ JUSTIN J. GILIO
JUSTIN J. GILIO
Assistant United States Attorney

Dated: January 6, 2025

/s/ Alekxia Torres Stallings
Alekxia Torres Stallings
Counsel for Defendant
Phillip Vasquez, Jr.

ORDER

IT IS SO ORDERED that the status conference is continued from January 22, 2025, to **June 11, 2025, at 1:00 p.m. in Courtroom 8 before Magistrate Judge Barbara A. McAuliffe**. Time is excluded pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **January 6, 2025**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE