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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. Phillip Vasquez, Jr., Defendants.	CASE NO. 1:22-CR-00331-NODJ-BAM STIPULATION REGARDING EXCLUDABLE TIME PERIODS UNDER SPEEDY TRIAL ACT; AND ORDER CURRENT DATE: August 27, 2025 TIME: 1:00 p.m. COURT: Hon. Barbara A. McAuliffe

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 on August 27, 2025.

2. The defendant now moves to set this case for a change of plea hearing on November 3, 2025, at 10:00 a.m. and to exclude time between August 27, 2025, and November 3, 2025.

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, cell phone extractions, and other media evidence. All of this discovery has been either produced directly to counsel and/or made available for inspection and copying. The government also has made available at its office confidential supplemental discovery for defense counsel to review pursuant to a protective order.

b) Counsel for defendant desires additional time to consult with his client, conduct

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investigation and research related to the charges, review and copy discovery for this matter, discuss potential resolutions with their clients, prepare pretrial motions, and otherwise prepare for trial. The defendant also requests this additional time to discuss resolution with the government and need the additional time to finalize a plea agreement.

c) Counsel for defendant 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.

d) The government does not object to the continuance.

e) The defendant is not in custody pending trial.

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 August 27, 2025 to November 3, 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: August 20, 2025

ERIC GRANT
United States Attorney

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

Dated: August 20, 2025

/s/ Alekxia Torres Stalling
Alekxia Torres Stalling
Counsel for Defendant
Phillip Vasquez Jr.

ORDER

IT IS SO ORDERED that the status conference set for August 27, 2025, is vacated. A change of plea hearing is set for **November 3, 2025, at 10:00 a.m. in Courtroom 5 before District Court Judge Dale A. Drozd**. Time is excluded pursuant to 18 U.S.C.§ 3161(h)(7)(A), B(iv).

IT IS SO ORDERED.

Dated: **August 20, 2025**

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE