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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,) CASE NO. CR.S-04-0443 PAN
11 Plaintiff,)
12 v.) STIPULATION, DECLARATION AND
13 CARL DEWAYNE HUGHES,) [PROPOSED] ORDER VACATING
14 Defendant.) SENTENCING HEARING AND WRIT OF
15) HABEAS CORPUS AD PROSEQUENDUM
) AND SETTING STATUS CONFERENCE
)
) DATE: December 15, 2005
) TIME: 9:00 a.m.
) COURT: Hon. Peter A. Nowinski

Stipulation

The parties, through their respective counsel, stipulate that the status conference scheduled for December 15, 2005 may be continued to January 26, 2006 at 9:00 a.m.

21 As stated in the previous Stipulation, Declaration and Order
22 Vacating Sentencing Hearing and Writ of Habeus Corpus Ad
23 Prosequendum and Setting Status Conference dated October 27, 2005,
24 the government's case should not proceed to sentencing until the
25 Modoc County case has been resolved.

26 On December 2, 2005, Abram Watts, an intern in the Misdemeanor
27 Unit, received a message from the Modoc County District Attorney
28 Jordan Funk regarding the status of the defendant's Modoc County

1 case. Mr. Funk related to Mr. Watts that Mr. Hughes' Modoc County
2 case was still pending a plea, along with another case out of
3 Oregon, in a global plea agreement which would involve Mr. Hughes'
4 serving 20 years in prison. The defense attorney in these cases has
5 been ill, but a plea agreement seems to be imminent in these cases.
6 Furthermore, the defendant is still in custody in Modoc County
7 within the jurisdiction of the State of California.

8 DATED: December 5, 2005

McGREGOR W. SCOTT
United States Attorney

9

10 by /s/ Matthew C. Stegman
11 MATTHEW C. STEGMAN
12 Assistant U.S. Attorney

13 DATED: December 5, 2005

14 /s/ Matthew C. Stegman for
15 ERIC H. HINTZ
16 Counsel for Defendant
17 Carl DeWayne Hughes

18 Order

19 Good cause appearing, the Court enters the following order:

20 The status conference scheduled for December 15, 2005 is
21 vacated and a status conference is scheduled January 26, 2006 at
22 9:00 a.m.

23 IT IS SO ORDERED.

24 DATED: December 27, 2005

25 /s/ Peter A. Nowinski
26 HON. PETER A. NOWINSKI,
27 UNITED STATES MAGISTRATE JUDGE

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