ERIN J. RADEKIN
Attorney at Law - SBN 214964
428 J Street, Suite 357
Sacramento, California 95814
Telephone: (916) 504-3931
Facsimile: (916) 447-2988

Attorney for Defendant
DAVID PEREZ RAMIREZ

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. DAVID PEREZ RAMIREZ, Defendant.	2:07-CR-00248-15 WBS STIPULATION AND [~~PROPOSED~~] ORDER TO MODIFY BRIEFING SCHEDULE

On August 22, 2016, the Court adopted the parties' stipulation to modify the briefing schedule pertaining to an amended motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2) to allow the government time to consider its position in light of the June 13, 2016 decision by the Ninth Circuit in *United States v. Davis*, 825 F.3d 1014 (9th Cir. 2016) (*Davis II*). CR 1425. On September 21, 2016, the government notified undersigned counsel that it intends to oppose Mr. Ramirez's motion.

Ms. Radekin intends to file an amended motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2) on defendant's behalf, and requests additional time to prepare such amended motion. Mr. Hitt concurs with this request. Accordingly, the parties have agreed to the following briefing schedule:

Motion to reduce sentence **October 14, 2016**

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Government's opposition **November 4, 2016**

Defendant's reply, if any **November 11, 2016**

Therefore, the parties respectfully stipulate and request that the Court vacate the existing briefing schedule and order the briefing schedule set forth above.

Dated: September 21, 2016

PHILLIP A. TALBERT
Acting United States Attorney

By: /s/ Jason Hitt
JASON HITT
Assistant United States Attorney

Dated: September 21, 2016

/s/ Erin J. Radekin
ERIN J. RADEKIN
Attorney for Defendant
DAVID PEREZ RAMIREZ

ORDER

Pursuant to the parties' stipulation, and good cause appearing, it is hereby ordered that the briefing schedule relating to an amended motion pursuant to § 3582(c)(2) be modified as follows:

Motion to reduce sentence **October 14, 2016**

Government's opposition **November 4, 2016**

Defendant's reply, if any **November 11, 2016**

Dated: September 22, 2016

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE