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Attorney for Defendant
BISMARK MARTIN OCAMPO

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. BISMARK MARTIN OCAMPO, et al. Defendants.	2:07-cr-00248-08 WBS **STIPULATION AND [~~PROPOSED~~] ORDER TO MODIFY BRIEFING SCHEDULE**

The deadline to file an amended motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2) has been extended several times to await the decision on the petition for rehearing *en banc* in *United States v. Davis*, 776 F.3d 1088 (9th Cir. 2015). Thereafter, the parties have re-set the dates to allow the Government to determine its position on Mr. Ocampo's motion. Assistant United States Attorney Jason Hitt, who represents the United States in this matter, is evaluating a possible motion pursuant to Federal Rule of Criminal Procedure 35 based upon events in the Northern District of California and will address an Amendment 782 reduction, if any, when the decision on the Rule 35 motion is made; however, he needs additional time to obtain additional records in order to determine the extent of any Rule 35 reduction.

Accordingly, the parties stipulate and request that the current briefing schedule be vacated and that a date be set for the filing of a

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stipulation by the parties regarding disposition of the motion to reduce sentence, to wit, November 11, 2016.

Accordingly, the parties respectfully request the Court adopt the above stipulation.

Dated: October 7, 2016

PHILLIP A. TALBERT
Acting United States Attorney

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

Dated: October 7, 2016

/s/ Erin J. Radekin
ERIN J. RADEKIN
Attorney for Defendant
BISMARK MARTIN OCAMPO

ORDER

Pursuant to the parties' stipulation, and good cause appearing, it is hereby ordered that the current briefing schedule relating to defendant's motion pursuant to § 3582(c)(2) be VACATED, and that the following date be set for filing of a stipulation by the parties as to disposition of the motion: November 11, 2016.

Dated: October 7, 2016

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE