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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 November 10, 2016, Mr. Ramirez filed his amended motion to reduce sentence pursuant to 18 U.S.C. § 3582(c)(2). CR 1458. The government filed its opposition on December 1, 2016. CR 1471. Pursuant to this Court's order signed on January 23, 2017, the date due for the reply brief was moved to February 21, 2017. CR 1492.

Ms. Radekin intends to file a reply; however, she has ordered and is still waiting for disciplinary records to investigate the disciplinary violation to which the government refers, and argues is a ground for denial of a reduction, in its opposition.

On December 30, 2016, Ms. Radekin received a signed release authorizing release of the records pertaining to the disciplinary violations from Mr. Ramirez in the mail. That same day, a copy of the release was provided to

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Daniel Wildes, a counselor at FCI Mendota. Since then, Ms. Radekin's office has emailed Counselor Wildes two additional times to inquire into the status of the request for records. On January 19, 2017, Counselor Wildes notified Ms. Radekin that he still does not have authority to release the records. On February 8, 2017, Counselor Wildes informed Ms. Radekin that he is unable to provide the requested records and that Ms. Radekin must contact the Freedom of Information Act office. In light of Ms. Radekin's inability to obtain the records, Mr. Hitt has agreed to attempt to obtain the records for her. Thus, Ms. Radekin is still waiting for the records.

Accordingly, the parties stipulate and request that the date due for the reply brief be modified to March 23, 2017. Assistant United States Attorney Jason Hitt has indicated he has no objection to the modification of the reply brief due date and has authorized Ms. Radekin to sign this stipulation on his behalf.

IT IS SO STIPULATED.

Dated: February 21, 2017

PHILLIP A. TALBERT
Acting United States Attorney

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

Dated: February 21, 2017

/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 reply brief due date be modified to March 23, 2017.

Dated: February 22, 2017

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE