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Attorney for Defendant
DAVID PEREZ RAMIREZ

**IN THE UNITED STATES DISTRICT COURT**

**FOR THE EASTERN DISTRICT OF CALIFORNIA**

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|---|---|
| **UNITED STATES OF AMERICA**, Plaintiff, v. **DAVID PEREZ RAMIREZ**, Defendant. | 2:07-CR-00248 WBS<br><br>**STIPULATION AND 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 March 24, 2017, the date due for the reply brief was moved to April 24, 2017. CR 1515.

Ms. Radekin has made multiple attempts to obtain the disciplinary records pertaining to the disciplinary violation which the government cites as a basis to deny a reduction under Amendment 782. All attempts have failed; the prison has refused to provide the records, even though it initially appeared prison staff would comply with a request pursuant to an authorization. Ms. Radekin was informed she must make a request under the Freedom of Information Act, which can be time consuming. Ms. Radekin



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requested the government obtain the records; however, on April 26, 2017, the government informed her it was unable to obtain them. In light of these circumstances, Ms. Radekin has concluded she will prepare the reply brief based on the limited records she has pertaining to the violation. She needs additional time, however, to complete the reply brief.

Accordingly, the parties stipulate and request that the date due for the reply brief be modified to May 8, 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: April 28, 2017

PHILLIP A. TALBERT
United States Attorney

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

Dated: April 28, 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 May 8, 2017.

Dated: May 1, 2017

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE