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Attorney for Defendant
GABRIEL CARACHEO

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. **GABRIEL CARACHEO**, Defendant.	2:07-CR-00248-26 WBS **STIPULATION AND ORDER TO MODIFY BRIEFING SCHEDULE**

On October 13, 2016, Mr. Caracheo filed a motion to reduce his sentence pursuant to 18 U.S.C. § 3582(c)(2). ECF No. 1445. The court denied Mr. Caracheo's motion, ECF No. 1545 at p. 4, and Mr. Caracheo appealed, ECF No. 1563. On October 29, 2018, the Ninth Circuit issued a memorandum decision, remanding the case to the district court to reconsider its denial of Mr. Carracheo's motion in light of the United States Supreme Court's decision in *Hughes v. United States*, 138 S. Ct. 1765 (2018). ECF No. 1615 at p. 2. On December 17, 2018, the parties appeared at a status conference and the court set a briefing schedule as follows: opening brief to

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be filed by January 31, 2019; the government's opposition to be filed by February 14, 2019; and any reply to the government's opposition to be filed by February 21, 2019. ECF No. 1621.

On February 28, 2019, the court granted the parties request to extend the government's time to file its opposition to March 15, 2019, with any reply to be due on March 22, 1019. ECF No. 1626. The government submitted its brief on March 15, 2019. ECF No. 1627.

Ms. Radekin needs more time to assess any new case law relating to the United States Supreme Court's decision in *Hughes* and to prepare the reply brief. Mr. Hitt has no objection to this request. Accordingly, the parties stipulate and request that the date due for the reply be modified to April 26, 2019. Assistant United States Attorney Jason Hitt has authorized Ms. Radekin to sign this stipulation on his behalf.

IT IS SO STIPULATED.

Dated: March 21, 2019

MCGREGOR SCOTT
United States Attorney

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

Dated: March 21, 2019

/s/ Erin J. Radekin
ERIN J. RADEKIN
Attorney for Defendant
GABRIEL CARACHEO

/ /

ORDER

Pursuant to the unopposed request, and good cause appearing therefor, it is hereby ordered that the date due for the reply to the government's opposition is April 26, 2019.

DATED: March 27, 2019

MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE