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JASON HITT
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IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MARIO DIAZ, et al., Defendants.	Case No. CR-S-07-0248 WBS STIPULATION AND PROPOSED ORDER CONTINUING STATUS CONFERENCE, EXCLUDING TIME, AND SETTING A TRIAL DATE FOR DEFENDANTS MANUEL CADENA, JOSE ANGEL VILLASENOR, and DAVID PEREZ RAMIREZ

Plaintiff, United States of America, by its counsel, Assistant United States Attorney Jason Hitt, and defendant Manuel CADENA, by and through his counsel, Kathryn Druliner, Esq., defendant Jose VILLASENOR, by and through his counsel, Jesse Garcia, Esq., and defendant David RAMIREZ, by and through his counsel Robert Holley, Esq., stipulate and agree that the currently-set status conference on April 28, 2008, should be vacated and continued to the trial confirmation hearing date of July 21, 2008, at 8:30 a.m. After consultation with the Court's Deputy Clerk, the parties further stipulate that a trial date of August 5, 2008 at 9:00 a.m. should be set.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

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The parties further stipulate that the time period from April 28, 2008, up to and including the new trial confirmation hearing date of July 21, 2008, should be excluded from computation of the time for commencement of trial under the Speedy Trial Act, based upon the need for defense counsel to prepare for trial, including the research and filing of pretrial motions, and further investigation of potential defense witnesses and evidence to be presented at the trial of these three defendants.

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For these reasons, the defendants, defense counsel, and the government agree additional time is required for the defense to effectively evaluate the posture of the case and prepare for trial in this case and, in addition, in the interests of justice under 18 U.S.C. § 3161(h)(8)(B)(iv) and Local Code T4.

Respectfully Submitted,

McGREGOR W. SCOTT
United States Attorney

DATED: May 9, 2008 By: /s/Jason Hitt
JASON HITT
Assistant U.S. Attorney

DATED: May 9, 2008 By: /s/Jason Hitt
Authorized to sign for Ms. Druliner on 04-30-08
KATHRYN DRULINER, Esq.
Attorney for Manuel CADENA

DATED: May 9, 2008 By: /s/Jason Hitt
Authorized to sign for Mr. Garcia on 05-08-08
JESSE GARCIA, Esq.
Attorney for Jose VILLASENOR

DATED: May 9, 2008 By: /s/Jason Hitt
Authorized to sign for Mr. Holley on 04-30-08
ROBERT HOLLEY, Esq.
Attorney for David RAMIREZ

ORDER

Based upon the representations and stipulation of counsel, **IT IS HEREBY ORDERED** that:

1. The status conference set for April 28, 2008, at 8:30 a.m. is vacated;

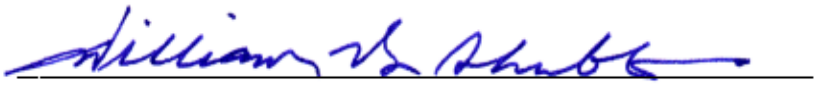
2. A trial confirmation hearing date for these three defendants is set for July 21, 2008, at 8:30 a.m.;

3. A trial date for these three defendants is set for August 5, 2008 at9:00 a.m.; and

4. Based upon the representations and stipulation of the parties, the court finds that the time exclusion under 18 U.S.C. § 3161(h)(8)(B)(iv) applies and the ends of justice outweigh the best interest of the public and the defendants in a speedy trial. Accordingly, time under the Speedy Trial Act shall be excluded from April 28, 2008, up to and including July 21, 2008.

IT IS SO ORDERED.

DATED: May 9, 2008



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE