PHILLIP A. TALBERT
United States Attorney
ALEXIS KLEIN
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MICHAEL ANTHONY BUTLER, JR., Defendant.	CASE NO. 2:20-CR-182 JAM STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME UNDER SPEEDY TRIAL ACT DATE: December 13, 2022 TIME: 9:30 a.m. COURT: Hon. John A. Mendez

The United States of America, by and through Assistant U.S. Attorney Alexis Klein, and defendant Michael Anthony Butler, Jr., by and through counsel Marion Titus, hereby agree and stipulate as follows:

1. By previous order, the Court set this matter for a status conference on December 13, 2022.

2. Since the grand jury returned the indictment, the government has produced discovery that includes thousands of pages of documents. The government has also disclosed several search warrants and offered to make available for inspection evidence seized during the investigation, including electronic devices.

3. Counsel for the defendant joined this case on July 7, 2021, and needs additional time to investigate the allegations underlying the charges in the indictment, examine the evidence, confer with her client, and prepare for trial. ECF No. 27.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

4. Based on the foregoing facts, the parties request that the Court vacate the December 13, 2022, status conference and reset the case for a status conference to be held on January 31, 2023, at 9:00 a.m. The parties further agree and request that the Court exclude the time between December 13, 2022, and January 31, 2023, from the computation of time in which trial must commence under the Speedy Trial Act, pursuant to Local Code T-4. The parties agree that the interests of justice served by excluding the time between December 13, 2022, and January 31, 2023, under the Speedy Trial Act, outweigh the best interests of the public and the defendant in a speedy trial. The parties request that the Court adopt the facts set forth herein and order time excluded from December 13, 2022, to and including January 31, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4, to allow defense counsel to investigate and prepare for trial.

Dated: December 9, 2022

PHILLIP A. TALBERT
United States Attorney

By: /s/ ALEXIS KLEIN
ALEXIS KLEIN
Assistant United States Attorney

Dated: December 9, 2022

/s/ MARION TITUS
MARION TITUS
Counsel for Defendant
Michael Anthony Butler, Jr.

ORDER

The Court, having received, read, and considered the parties' stipulation, and good cause appearing therefrom, adopts the parties' stipulation in its entirety as its order. The Court vacates the December 13, 2022, status conference and resets the matter for a status conference on January 31, 2023, at 9:00 a.m. The Court also specifically finds that based on the facts set forth in the parties' stipulation, the failure to exclude the time between December 13, 2022, and January 31, 2023, would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence. The Court further finds that the ends of justice served by the continuance outweigh the best interests of the public and the defendant in a speedy trial. Time from December 13, 2022, to and including January 31, 2023, is excluded from the computation of time within which the trial of this case must commence under the Speedy Trial Act, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4.

IT IS SO ORDERED.

Dated: December 9, 2022

/s/ John A. Mendez
THE HONORABLE JOHN A. MENDEZ
SENIOR UNITED STATES DISTRICT JUDGE