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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: January 31, 2023 TIME: 9:00 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 January 31, 2023. The Court is not available on that date to hear matters, so the parties are jointly requesting a status conference on February 28, 2023.

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

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her client, and prepare for trial. ECF No. 27.

4. Based on the foregoing facts, the parties request that the Court vacate the January 31, 2023, status conference and reset the case for a status conference to be held on February 28, 2023, at 9:00 a.m. The parties further agree and request that the Court exclude the time between January 31, 2023, and February 28, 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 January 31, 2023, and February 28, 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 January 31, 2023, to and including February 28, 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: January 27, 2023

PHILLIP A. TALBERT
United States Attorney

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

Dated: January 27, 2023

/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 January 31, 2023, status conference and resets the matter for a status conference on February 28, 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 January 31, 2023, and February 28, 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 January 31, 2023, to and including February 28, 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: January 27, 2023

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