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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-00182 JAM **STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME UNDER SPEEDY TRIAL ACT** DATE: March 14, 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. On February 28, 2023, this matter was set for March 14, 2023, for an identification of counsel hearing. ECF No. 72. Ms. Titus is still retained and presently remains counsel of record.

2. Mr. Butler needs additional time to obtain alternative counsel.

3. Separately, 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. Present counsel still needs additional time to investigate the allegations underlying the charges in the indictment, examine the evidence, confer with her client, and otherwise prepare for trial.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

4. Based on the foregoing facts, the parties request that the Court vacate the March 14, 2023, status conference and reset the case for a status conference to be held on April 18, 2023, at 9:00 a.m. The parties further agree and request that the Court exclude the time between March 14, 2023, to and including April 18, 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 March 14, 2023, and April 18, 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 March 14, 2023, to and including April 18, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4, to allow the defendant reasonable time to obtain counsel, while also allowing defense counsel to investigate and prepare for trial.

Dated: March 9, 2023

PHILLIP A. TALBERT
United States Attorney

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

Dated: March 9, 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 March 14, 2023, status conference and **RESETS** the matter for a status conference on **April 18, 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 March 14, 2023, and April 18, 2023, would deny counsel reasonable time necessary for effective preparation, taking into account the exercise of due diligence, and would deny the defendant reasonable time to obtain counsel. 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 March 14, 2023, to and including April 18, 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: March 9, 2023

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