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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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| UNITED STATES OF AMERICA,<br>Plaintiff,<br>v.<br>MICHAEL ANTHONY BUTLER, JR.,<br>Defendant. | CASE NO. 2:20-cr-00182-JAM<br>**STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME UNDER SPEEDY TRIAL ACT**<br>DATE: August 29, 2023<br>TIME: 9:00 a.m.<br>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 Meghan McLoughlin, Assistant Federal Defender, hereby agree and stipulate as follows:

1. On April 18, 2023, Ms. McLoughlin was appointed to represent the defendant, and the matter was set for a further status conference on June 27, 2023. ECF No. 75.

2. After a protective order was executed, and signed by Magistrate Judge Claire, discovery was provided to counsel on April 26, 2023. *See* ECF No. 79. This discovery 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. Defense counsel 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, and accordingly, is requesting we continue the matter to October 31, 2023.



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4. The government has no objection to this request.

5. Based on the foregoing facts, the parties request that the Court vacate the August 29, 2023, status conference and reset the case for a status conference to be held on October 31, 2023, at 9:00 a.m. The parties further agree and request that the Court exclude the time between August 29, 2023, to and including October 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 August 29, 2023, and October 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 August 29, 2023, to and including October 31, 2023, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv), and Local Code T-4, to allow the defense time to investigate the allegations underlying the charges in the indictment, examine the evidence, confer, and otherwise prepare for trial.

Dated: August 23, 2023

PHILLIP A. TALBERT
United States Attorney

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

Dated: August 23, 2023

/s/ MEGHAN McLOUGHLIN
MEGHAN McLOUGHLIN
Assistant Federal Defender
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 August 29, 2023, status conference and **RESETS** the matter for a status conference on **October 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 August 29, 2023, and October 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 August 29, 2023, to and including October 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: August 23, 2023

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