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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

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| UNITED STATES OF AMERICA,<br><br>Plaintiff,<br><br>v.<br><br>MICHAEL ANTHONY BUTLER, JR.,<br><br>Defendant. | CASE NO. 2:20-cr-00182-JAM<br><br>STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME UNDER SPEEDY TRIAL ACT<br><br>DATE: October 31, 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. This matter was previously set for status conference on October 31, 2023, and by this stipulation, the defendant requests to continue the matter to January 23, 2024. The government has no objection.

2. On October 5, additional documents, video, and other materials were produced to the defendant following a Rule 17(c) subpoena. *See* ECF No. 95. Following receipt of this material, 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. Accordingly, the request is to continue the matter to January 23, 2024.

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3. Based on the foregoing facts, the parties request that the Court vacate the October 31, 2023, status conference and reset the case for a status conference to be held on January 23, 2024, at 9:00 a.m. The parties further agree and request that the Court exclude the time between October 31, 2023, to and including January 23, 2024, 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 October 31, 2023, and January 23, 2024, 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 October 31, 2023, to and including January 23, 2024, 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: October 24, 2023

PHILLIP A. TALBERT
United States Attorney

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

Dated: October 24, 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 October 31, 2023, status conference and **RESETS** the matter for a status conference on **January 23, 2024, 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 October 31, 2023 and January 23, 2024 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 October 31, 2023, to and including January 23, 2024, 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: October 25, 2023

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