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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 DAD STIPULATION AND ORDER TO CONTINUE MOTION HEARING DATE: November 13, 2025 TIME: 9:00 a.m. COURT: Hon. Daniel J. Calabretta

The United States of America, by and through Assistant U.S. Attorney Elliot Wong, and defendant Michael Anthony Butler, Jr., by and through counsel Shari Rusk, hereby agree and stipulate as follows:

1. On October 14, 2025, Butler filed a motion to dismiss. (ECF 151.) The government opposed the motion on October 17. (ECF 154.)

2. On October 23, the Court issued a minute order setting a further briefing scheduled on the motion and resetting the motion hearing date for November 13, 2025. (ECF 156.) The Court also entered a time exclusion under local code E through November 13, 2025, the reset hearing date. (*Id.*)

3. The parties request that the supplemental briefing schedule be amended and that the motion hearing be reset, as follows:

a. On or before November 6, 2025, Defense Counsel may submit evidence in the form

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of declarations providing the following information: 1) What actions Defense Counsel would take in this case that they are unable to due to the lapse in funding, understanding that Counsel should not reveal work product or inappropriately disclose trial strategy; 2) How the lapse in funding has affected Defense Counsel's ability to advocate on behalf of their client; 3) What funds Counsel is owed in this and other cases pending before the Eastern District of California; 4) Whether there are alternative options for counsel to be appointed to represent the Defendant; and 5) Any other information Counsel deems relevant.

b. On or before November 13, 2025, the government may file a supplementary opposition addressing any evidence presented.

c. On or before November 19, 2025, by noon, Defendant may file a reply (addressing both arguments raise in the government's opposition and supplementary opposition).

d. A hearing on the motion shall be set for November 20, 2025, at 9:00 a.m.

4. Based on the above, the parties request that the Court exclude the time between November 13, 2025, up to and including November 20, 2025, from the computation of time in which trial must commence under the Speedy Trial Act, pursuant to Local Code E. The parties agree that the interests of justice served by excluding time under the Speedy Trial Act, outweigh the best interests of the public and the defendant in a speedy trial.

Dated: October 24, 2025

ERIC GRANT
United States Attorney

By: /s/ ELLIOT WONG
ELLIOT WONG
Assistant United States Attorney

Dated: October 24, 2025

/s/ SHARI RUSK
SHARI RUSK
Counsel for Defendant
Michael Anthony Butler, Jr.

ORDER

IT IS SO ORDERED.

Dated: October 24, 2025

/s/ Daniel J. Calabretta
THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE