

1 DAVID D. FISCHER, SBN 224900  
2 LAW OFFICES OF DAVID D. FISCHER, APC  
3 5701 Lonetree Blvd., Suite 312  
4 Rocklin, CA 95765  
5 Telephone: (916) 447-8600  
Fax: (916) 930-6482  
Email: david.fischer@fischerlawoffice.com

6 Attorney for Defendant  
7 FRANK GOWANS, JR.

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9 **UNITED STATES DISTRICT COURT FOR THE**  
10 **EASTERN DISTRICT OF CALIFORNIA**

11

12 UNITED STATES OF AMERICA,

13 Plaintiff,  
14 v.

15 FRANK GOWANS, JR.

16 Defendant.

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18 Case No.: 2:21-CR-00035-JAM

19 **STIPULATION AND [PROPOSED]**  
20 **ORDER TO CONTINUE STATUS**  
21 **CONFERENCE BEFORE**  
22 **MAGISTRATE JUDGE CLAIRE**

23

24 **STIPULATION**

25 The defendant was temporarily released on conditions to receive medical care, and  
26 a status conference was set before Magistrate Judge Claire for an update on his progress  
27 for May 31, 2022. This date was continued to June 29, 2022, August 10, 2022, September  
28 7, 2022, October 19, 2022, November 30, 2022, and January 9, 2023. The parties request  
it to be continued again to January 30, 2023. Defense counsel misread the defendant's  
appointment card. His next appointment is scheduled for January 19, 2023, not January 9,  
2023.

29 Since being released, Mr. Gowans has reinstated his health insurance, received and  
30 is taking his previously prescribed medication, and he began working. He received

1 approval to see his specialist at Sutter Health, Dr. Peterson, and began seeing him. Mr.  
2 Gowans has completed a physicians' appointments. He saw Dr. Peterson on August 14,  
3 2022. He expected to receive cortisone injections into his elbows for the first time on that  
4 date; however, his elbow was too swollen to receive the injections. He aggravated his  
5 elbow at work. Mr. Gowans is no longer working. He attended an appointment on October  
6 14, 2022, but his elbow was still too swollen for an injection, and he was told to continue  
7 his medication. His last doctor's appointment was on November 16, 2022. His next  
8 appointment is scheduled for January 19, 2023 (not January 9, 2023, as defense counsel  
9 mistakenly believed), and it is expected that he will receive one or more Cortizone  
10 injections to his elbow at that time. After he receives those injections, his doctor will  
11 review the treatment plan.

12 The parties stipulate and jointly request that the status conference scheduled before  
13 Magistrate Judge Claire on January 9, 2023, be continued to January 30, 2023, at 9:00 a.m.  
14 and that the defendant continue to temporarily remain out of custody until that date and  
15 time.

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17 Dated: December 19, 2022

/s/ David D. Fischer  
DAVID D. FISCHER  
Attorney for Defendant  
FRANK GOWANS

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PHILIP TALBERT  
US ATTORNEY

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22 Dated: November 19, 2022

23 By /s/ Jason Hitt  
24 JASON HITT  
25 Assistant United States Attorney

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1 [PROPOSED] ORDER  
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4 IT IS SO ORDERED.  
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7 Date: December 22m 2022  
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11 ALLISON CLAIRE  
12 UNITED STATES MAGISTRATE JUDGE  
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