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11 Attorneys for Plaintiff
12 United States of America

13
14 IN THE UNITED STATES DISTRICT COURT
15 EASTERN DISTRICT OF CALIFORNIA

16 UNITED STATES OF AMERICA,
17 Plaintiff,
18 v.
19 JOSE JAIME MAGANA,
20 ADRIAN TRUJILLO,
21 KEVIN MOECKLY, AND
22 DAVE GUADALUPE LOPEZ.
23 Defendants.

24 CASE NO. 2:22-CR-00204-WBS
25 STIPULATION REGARDING EXCLUDABLE
26 TIME PERIODS UNDER SPEEDY TRIAL ACT;
27 AND ORDER
28 DATE: March 27, 2023
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

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30
31 STIPULATION

32 1. By previous order, this matter was set for status on March 27, 2023.
33 2. By this stipulation, defendants now move to continue the status conference until June 5,
34 2023 at 9:00 a.m., and to exclude time between March 27, 2023, and June 5, 2023, under Local Code
35 T4.
36 3. The parties agree and stipulate, and request that the Court find the following:
37 a) The government recently tendered discovery. This material includes recorded
38 phone calls, videos of controlled purchases, documents subpoenaed by the Grand Jury, records
39 related to the seizure of controlled substances, and forensic images of electronic devices.
40 Additionally, there are bank statements which have previously been made available for
41 inspection, but copies will be produced in discovery pursuant to the Court's protective order

1 entered on March 1, 2023.

2 b) Counsel for defendants desire additional time to review the discovery materials
3 and charges, conduct investigation, conduct research related to the charges, to assess the viability
4 of any pretrial motions, and arrange for in-person visits to discuss potential resolutions with their
5 clients.

6 c) Counsel for defendants believe that failure to grant the above-requested
7 continuance would deny them the reasonable time necessary for effective preparation, taking into
8 account the exercise of due diligence.

9 d) The government does not object to the continuance.

10 e) Based on the above-stated findings, the ends of justice served by continuing the
11 case as requested outweigh the interest of the public and the defendants in a trial within the
12 original date prescribed by the Speedy Trial Act.

13 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
14 *et seq.*, within which trial must commence, the time period of March 27, 2023 to June 5, 2023,
15 inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), (B)(iv) [Local Code T4]
16 because it results from a continuance granted by the Court at defendant's request on the basis of
17 the Court's finding that the ends of justice served by taking such action outweigh the best interest
18 of the public and the defendant in a speedy trial.

19 **[CONDINUED ON NEXT PAGE]**

1 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the
2 Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial
3 must commence.

4 IT IS SO STIPULATED.

5
6 Dated: March 20, 2023

7 PHILLIP A. TALBERT
United States Attorney

8 _____
9 /s/ *ROBERT C. ABENDROTH*
10 ROBERT C. ABENDROTH
11 Assistant United States Attorney

12 Dated: March 20, 2023

13 _____
14 /s/ *CHRISTOPHER RICHARD COSCA*
15 CHRISTOPHER RICHARD COSCA
16 Counsel for Defendant
17 JOSE JAIME MAGANA

18 Dated: March 20, 2023

19 _____
20 /s/ *OLAF WILLIAM HEDBERG*
21 OLAF WILLIAM HEDBERG
22 Counsel for Defendant
23 ADRIAN TRUJILLO

24 Dated: March 20, 2023

25 _____
26 /s/ *CLEMENTE M. JIMENEZ*
27 CLEMENTE M. JIMENEZ
28 Counsel for Defendant
 KEVIN MOECKLY

29 Dated: March 20, 2023

30 _____
31 /s/ *TASHA PARIS CHALFANT*
32 TASHA PARIS CHALFANT
33 Counsel for Defendant
34 DAVE GUADALUPE LOPEZ

24 **ORDER**

25 IT IS SO FOUND AND ORDERED .

26 Dated: March 21, 2023

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