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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOSE JAIME MAGANA,
ADRIAN TRUJILLO,
KEVIN MOECKLY, AND
DAVE GUADALUPE LOPEZ.
Defendants.

CASE NO. 2:22-CR-00204-WBS

STIPULATION REGARDING EXCLUDABLE
TIME PERIODS UNDER SPEEDY TRIAL ACT;
AND ORDER

DATE: March 27, 2023
TIME: 9:00 a.m.
COURT: Hon. William B. Shubb

STIPULATION

1. By previous order, this matter was set for status on March 27, 2023.
2. By this stipulation, defendants now move to continue the status conference until June 5, 2023 at 9:00 a.m., and to exclude time between March 27, 2023, and June 5, 2023, under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government recently tendered discovery. This material includes recorded phone calls, videos of controlled purchases, documents subpoenaed by the Grand Jury, records related to the seizure of controlled substances, and forensic images of electronic devices. Additionally, there are bank statements which have previously been made available for 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 **[CONTINUED ON NEXT PAGE]**

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

IT IS SO STIPULATED.

Dated: March 20, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ ROBERT C. ABENDROTH
ROBERT C. ABENDROTH
Assistant United States Attorney

Dated: March 20, 2023

/s/ CHRISTOPHER RICHARD COSCA
CHRISTOPHER RICHARD COSCA
Counsel for Defendant
JOSE JAIME MAGANA

Dated: March 20, 2023

/s/ OLAF WILLIAM HEDBERG
OLAF WILLIAM HEDBERG
Counsel for Defendant
ADRIAN TRUJILLO

Dated: March 20, 2023

/s/ CLEMENTE M. JIMENEZ
CLEMENTE M. JIMENEZ
Counsel for Defendant
KEVIN MOECKLY

Dated: March 20, 2023

/s/ TASHA PARIS CHALFANT
TASHA PARIS CHALFANT
Counsel for Defendant
DAVE GUADALUPE LOPEZ

ORDER

IT IS SO FOUND AND ORDERED .

Dated: March 21, 2023



WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE