

**FILED**

Jun 28 2021

**SUSAN Y. SOONG  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND**

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8 JIHAD JAD TAWASHA

9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 UNITED STATES OF AMERICA,	)	CASE NO. 4-21-MJ-70900-MAG-4
13 Plaintiff,	)	ORDER AND STIPULATION
14 v.	)	CONTINUING HEARING AND
15 JIHAD JAD TAWASHA,	)	EXCLUDING TIME FROM THE
16 Defendant.	)	SPEEDY TRIAL ACT
	)	CALCULATION (18 U.S.C. §
	)	3161(h)(8)(A)) AND WAIVING
	)	TIME LIMITS UNDER RULE 5.1

17 With the agreement of the parties, and with the consent of the defendant, the Court enters this  
18 order confirming a Detention Hearing date of June 30, 2021, at 1:00 p.m. before the Magistrate Judge on  
19 duty, vacating the currently-scheduled hearing date of June 29, 2021, and documenting the defendant's  
20 waiver of the preliminary hearing date under Federal Rule of Criminal Procedure 5.1 and the exclusion  
21 of time under the Speedy Trial Act, 18 U.S.C. § 3161(b), until June 30, 2021. The parties agree, and the  
22 Court finds and holds, as follows:

- 23 1. The defendant is currently in custody at Santa Rita Jail and has agreed to this continuance, to  
24 allow the Pretrial Services Officer additional time to prepare the bail report.
- 25 2. This matter is currently set for a detention hearing on June 29, 2021.
- 26 3. The government has provided the defendant with discovery materials regarding criminal  
27 history.
- 28 4. The defendant agrees to an exclusion of time under the Speedy Trial Act, 18 U.S.C. §  
3161(h)(8)(B)(iv) to provide reasonable time necessary for effective preparation, taking into account the  
exercise of due diligence.

1 5. The defendant waives the time limits of Federal Rule of Criminal Procedure 5.1 for  
2 preliminary hearing.

3 6. Counsel for the defense believes that postponing the preliminary hearing is in his client's best  
4 interest, and that it is not in his client's interest for the United States to indict the case during the normal  
5 timeline established in Rule 5.1.

6 7. The Court finds that, taking into the account the public interest in the prompt disposition of  
7 criminal cases, these grounds are good cause for extending the time limits for a preliminary hearing  
8 under Federal Rule of Criminal Procedure 5.1. Given these circumstances, the Court finds that the ends  
9 of justice served by excluding the period through and including June 18, 2021, outweigh the best interest  
10 of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(8)(A).

11 8. Accordingly, and with the consent of the defendant, the Court:

12 (1) confirms a Detention Hearing date before the duty Magistrate Judge on June 30, 2021,  
13 at 1:00 p.m.;

14 (2) vacates the currently-scheduled hearing date of June 29, 2021; and

15 (3) orders that the period from June 29, 2021, through and including June 30, 2021, be  
16 excluded from the time period for preliminary hearings under Federal Rule of Criminal Procedure 5.1  
17 and from Speedy Trial Act calculations under 18 U.S.C. § 3161(h)(8)(A).

18 IT IS SO STIPULATED.

19 DATED: June 28, 2021.

United States Attorney

20  
21 /s/ Noah Stern

Noah Stern

Assistant United States Attorney

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DATED: June 28, 2021

/s/ John J. Jordan  
JOHN J. JORDAN  
Counsel for the Defendant

IT IS SO ORDERED.

DATED: June 28, 2021

