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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
JESSE BLAS ROMERO (1);
CHRISTIAN EMMANUELL GAVINO (2),
Defendants.

Case No.: 22-cr-2527-JO
**ORDER CONTINUING MOTION
HEARING/TRIAL SETTING**

On December 6, 2022, the parties filed a Joint Motion to Continue the Motion Hearing/Trial Setting currently set for December 9, 2022 to February 10, 2023. For good cause appearing, the Court GRANTS the joint motion to continue [Dkt. 42] and sets the Motion Hearing/Trial Setting on February 10, 2023 at 10:30 a.m.

For the reasons set forth in the joint motion, the Court finds that the ends of justice will be served by granting the requested continuance, and these outweigh the interests of the public and the defendant in a speedy trial. Accordingly, the delay occasioned by this continuance is excludable pursuant to 18 U.S.C. § 3161(h)(7)(A).

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1 Further, on November 28, 2022, Defendant Jesse Blas Romero filed a pretrial motion
2 that remains pending. On December 1, 2022, Defendant Christian Emmanuell Gavino filed
3 a motion to join co-Defendant Romero’s pretrial motion. Accordingly, the Court finds that
4 time from November 28, 2022 to February 10, 2023 shall be excluded under the Speedy
5 Trial Act on grounds that a pretrial motion is pending. 18 U.S.C. § 3161(h)(1)(D). This
6 time is also excluded as to the co-Defendant. *United States v. Messer*, 197 F.3d 330, 336
7 (9th Cir. 1999) (“It is well established that an exclusion from the Speedy Trial clock for
8 one defendant applies to all codefendants.”).

9 IT IS SO ORDERED.

10 Dated: 12/7/22



Hon. Jinsook Ohta
UNITED STATES DISTRICT JUDGE