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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No. 2:13-mj-00223-KJN
Plaintiff,)	
)	
vs.)	STIPULATION AND [PROPOSED]
)	ORDER
MATTHEW GILLUM,)	
Defendant)	Date: 9/19/13
)	Time: 2:00 p.m.
)	Judge: Kendall J. Newman

IT IS HEREBY STIPULATED BY AND AMONG ALL PARTIES that the Preliminary Hearing currently set for September 5, 2013 at 2:00 p.m. is continued to September 19, 2013, at 2:00 p.m. pursuant to Federal Rule of Criminal Procedure, Rule 5.1(d).

It is further stipulated that good cause exists to extend the time for the preliminary hearing within the meaning of Rule 5.1(d). The parties further stipulate that the ends of justice are served by the Court excluding time from September 5, 2013 to September 19, 2013, so that counsel for the defendant may have reasonable time necessary for preparation, taking into account the exercise of due diligence. 18 U.S.C. Section 3161(h)(7)(B)(iv). The defendant, defense counsel and the government stipulate and agree that the ends of justice outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. Section 3161(h)(7)(A); Local Code T-4, preparation of counsel.

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1 **IT IS SO STIPULATED.**

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3 DATED: September 3, 2013

By: /s/ Thomas A. Johnson
THOMAS A. JOHNSON
Attorney for Defendant
Matthew Gillum

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6 DATED: September 3, 2013

BENJAMIN WAGNER
United States Attorney

7 By: /s/ Thomas A. Johnson for
JUSTIN LEE
Assistant U.S. Attorney

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11 **ORDER**

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13 **IT IS HEREBY ORDERED:** That the Preliminary Hearing scheduled for
14 September 5, 2013, is continued to September 19, 2013. It is further ORDERED that the
15 time under the Speedy Trial Act between today's date and September 19 2013, is
16 excluded under Local Code T-4, and 18 U.S.C. § 3161(h)(7)(B)(iv) to ensure adequate
17 time for preparation of counsel. For the reasons set forth above, the court finds that the
18 ends of justice served by a continuance outweigh the best interests of the public and the
19 defendants in a speedy trial and therefore excludes time through September 19, 2013.

20 Dated: September 3, 2013.

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EDMUND F. BRENNAN
23 UNITED STATES MAGISTRATE JUDGE
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