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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,	)	Date: 10/31/13
Defendant	)	Time: 2:00 p.m.
	)	Judge: Dale A. Drozd

**IT IS HEREBY STIPULATED BY AND AMONG ALL PARTIES** that the Preliminary Hearing currently set for October 3, 2013 at 2:00 p.m. is continued to October 31, 2013, at 2:00 p.m. pursuant to Federal Rule of Criminal Procedure, Rule 5.1(d). On July 23, 2013, a complaint was filed against Mr. Gillum and he made an initial appearance on July 24, 2013. Both parties are mutually requesting this continuance in order to work on resolving this matter pre-indictment.

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 October 3, 2013, to October 31, 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.

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

BENJAMIN WAGNER  
United States Attorney

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

**IT IS HEREBY ORDERED:** That the Preliminary Hearing scheduled for October 3, 2013, is continued to October 31, 2013. It is further ORDERED that the time under the Speedy Trial Act between today's date and October 31, 2013, is excluded under Local Code T-4, and 18 U.S.C. § 3161(h)(7)(B)(iv) to ensure adequate time for preparation of counsel. For the reasons set forth above, the court finds that the ends of justice served by a continuance outweigh the best interests of the public and the defendants in a speedy trial and therefore excludes time through October 31, 2013.

Dated:

U.S. Magistrate Court Judge