

THOMAS A. JOHNSON, SBN# 119203
400 Capital Mall, Suite 1620
Sacramento, CA 95814
Telephone: (916) 442-4022
Attorney for Matthew Gillum

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

UNITED STATES OF AMERICA,)	Case No. 2:13-mj-00223-KJN
)	
Plaintiff,)	
)	STIPULATION AND ORDER
vs.)	
)	Date: 10/31/13
MATTHEW GILLUM,)	Time: 2:00 p.m.
)	Judge: Dale A. Drozd
Defendant)	

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.

1 **IT IS SO STIPULATED.**

2
3 DATED: October 2, 2013

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

5
6 DATED: October 2, 2013

BENJAMIN WAGNER
United States Attorney

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

10
11
12 **ORDER**

13 **IT IS HEREBY ORDERED:** That the Preliminary Hearing scheduled for
14 October 3, 2013, is continued to October 31, 2013. It is further ORDERED that the time
15 under the Speedy Trial Act between today's date and October 31, 2013, is excluded
16 under Local Code T-4, and 18 U.S.C. § 3161(h)(7)(B)(iv) to ensure adequate time for
17 preparation of counsel. For the reasons set forth above, the court finds that the ends of
18 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 October 31, 2013.
20

21 Dated: October 2, 2013

22 
23 CAROLYN K. DELANEY
24 UNITED STATES MAGISTRATE JUDGE
25
26
27
28