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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND BRANCH

UNITED STATES OF AMERICA,

Plaintiff,

v.

RALPH PADIA,

Defendant.

No. CR 12-0586 YGR

STIPULATION AND
**ORDER TO SET CHANGE OF PLEA OR
TRIAL SETTING HEARING ON
JANUARY 10, 2013**

The above-captioned matter was previously set on December 6, 2012 before U.S. District Judge Yvonne Gonzalez Rogers for a change of plea or trial setting hearing. The parties request that this Court set this matter for a change of plea or trial setting hearing on January 10, 2013 at 2:00 p.m., and that the Court exclude time under the Speedy Trial Act between December 6, 2012 and January 10, 2013. The parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice are served by granting a continuance, pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B)(iv).

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1 Such continuance is required because defense counsel needs time to research legal
2 and factual issues. In addition, counsel for the government is no longer available the
3 week of December 3, 2012, and defense counsel is unavailable the weeks of December
4 10, 2012 and December 17, 2012. This continuance will allow the reasonable time
5 necessary for effective preparation and for continuity of counsel taking into account the
6 exercise of due diligence.

7 As such, the parties respectfully request that the time between December 6, 2012
8 and January 10, 2013 be excluded under U.S.C. § 3161(h)(7)(A) and (B)(iv).

9
10 DATED: November 27, 2012

Respectfully submitted,

11 MELINDA HAAG
12 United States Attorney

13 /s/ Rodney C. Villazor
14 RODNEY C. VILLAZOR
15 Assistant United States Attorney

16 /s/ Jerome Matthews
17 JEROME MATTHEWS
18 Attorney for Ralph Padia

19 ORDER

20 Based on the reason provided in the stipulation of the parties above, the Court
21 hereby FINDS that for adequate preparation of the case by all parties, and in the interest
22 of justice, pursuant to 18 U.S.C. sections 3161(h)(7)(A) and (B)(iv), an exclusion of time
23 is warranted under the Speedy Trial Act. Based on these findings, IT IS HEREBY
24 ORDERED THAT the hearing is continued until December 27, 2012 at 2:00 p.m. before
25 the District Court, and time is excluded until January 10, 2013.

26 **IT IS SO ORDERED.**

27 DATED: November 30, 2012

28 
YVONNE GONZALEZ ROGERS
United States District Judge

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