

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CRIMINAL NO. 13-20772

Plaintiff,

HONORABLE GERSHWIN A. DRAIN

v.

RASMIEH YOUSEF ODEH,

Defendant.

**STIPULATION AND ORDER RELATING TO SPEEDY TRIAL ACT
AND FOR FINDING OF EXCLUDABLE DELAY**

On April 19, 2016, the Court of Appeals issued the mandate in this case. The Court of Appeals remanded the case in order for the Court to decide whether, absent a categorical basis for exclusion, the defense expert's testimony is otherwise admissible. On June 13, 2016, the Court held a status hearing as a result of which dates were set for motions, briefs and a potential hearing relating to that determination. If the Court ultimately decides that the expert's testimony is admissible, a new trial will commence on January 10, 2017.

While it appears that the time period for a retrial set forth in the Speedy Trial Act does not commence until the Court decides that a retrial is appropriate, *see* 18 U.S.C. § 31619(e), the parties nonetheless expressly agree that the time from April 19, 2016 to January 10, 2017 is excluded under the Speedy Trial Act to give

counsel reasonable time to submit motions and briefs and to otherwise construct the necessary record to enable the Court to make a determination on the admissibility of the defense expert's testimony and that the ends of justice served by the delay attributable to this period outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

IT IS SO ORDERED.

Dated: June 21, 2016
Detroit, Michigan

s/Gershwin A. Drain

GERSHWIN A. DRAIN
United States District Judge

Respectfully submitted,

BARBARA L. MCQUADE
United States Attorney

s/Cathleen M. Corken
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Date: June 16, 2016

CERTIFICATE OF SERVICE

I hereby certify that on June 16, 2016, I electronically filed or caused to be filed the foregoing with the Clerk of the Court using the ECF system, which will send notification of such filing to all ECF filers.

s/Cathleen M. Corken
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Dated: June 16, 2016