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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA

|                           |   |                        |
|---------------------------|---|------------------------|
| United States of America, | ) | CR-10-00757-01-PHX-ROS |
| Plaintiff,                | ) | <b>ORDER</b>           |
| vs.                       | ) | (Fifth Request)        |
| James R. Parker,          | ) |                        |
| Defendant.                | ) |                        |

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Upon motion of the defendant and no objection by the Government and good cause appearing,

**IT IS ORDERED** granting the defendant's Motion to Continue Trial for the reasons stated in defendant's motion, including that defense counsel needs additional time to prepare for trial.

This Court specifically finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. This finding is based upon the Court's conclusion that the failure to grant such a continuance would deny the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(B)(iv).

**IT IS FURTHER ORDERED** continuing the trial from November 1, 2011 to May 29, 2012 at 8:30 a.m. and continuing the pretrial motion deadline until April 20, 2012.

1           **IT IS FURTHER ORDERED** continuing the Final Pretrial Conference to **May 25,**  
2 **2012 at 1:30 p.m.**

3           **IT IS FURTHER ORDERED** that if any subpoenas were previously issued and  
4 served in this matter, that they remain in effect and are answerable at the new trial date and  
5 the party who served the subpoena should advise the witnesses of the trial date.

6           **IT IS FURTHER ORDERED** that excludable delay under Title 18 U.S.C.  
7 §3161(h)(7)(A) and (B)(iv) will commence on 8/19/11-5/29/12 for a total of 285 days.

8           DATED this 29<sup>th</sup> day of August, 2011.

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Roslyn O. Silver  
Chief United States District Judge