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9 UNITED STATES DISTRICT COURT
10 CENTRAL DISTRICT OF CALIFORNIA
11 SOUTHERN DIVISION

12 UNITED STATES OF AMERICA,) Case No. SA CR 08-180-DOC
13)
Plaintiff,) ORDER CONTINUING TRIAL TO
14) AUGUST 4, 2009 AT 8:30 A.M. AND
v.) REGARDING EXCLUDABLE TIME
15) PERIOD UNDER SPEEDY TRIAL ACT
MOSES ONCIU, BEATA GIZELLA)
16 PRIORE, and IRENE PEMKOVA,)
17 Defendants.)

18 The Court has read and considered the Stipulation re
19 Excludable Time Period under Speedy Trial Act filed by the
20 parties in this matter on February 26, 2009. The Court hereby
21 finds that the Stipulation, which this Court incorporates by
22 reference into this Order, demonstrates facts that provide good
23 cause for a finding of excludable time pursuant to the Speedy
24 Trial Act, 18 U.S.C. § 3161.

25 The Court further finds that: (1) the ends of justice served
26 by the continuance outweigh the best interest of the public and
27 defendant in a speedy trial; (2) failure to grant the continuance
28 would be likely to make a continuation of the proceeding

1 impossible, or result in a miscarriage of justice; (3) failure to
2 grant the continuance would unreasonably deny defendants
3 continuity of counsel and would deny defense counsel the
4 reasonable time necessary for effective preparation, taking into
5 account the exercise of due diligence, and (4) this continuance
6 is a reasonable period of delay resulting from defendants'
7 joinder with each other for trial, that the time for trial of
8 defendants has not run, and that no motion for severance has been
9 granted.

10 THEREFORE, FOR GOOD CAUSE SHOWN, IT IS ORDERED THAT:

11 1. The trial in this matter is continued from April 28,
12 2009 to August 4, 2009 at 8:30 a.m.

13 2. The time period of April 28, 2009 to August 4, 2009,
14 inclusive, is excluded in computing the time within which the
15 trial must commence, pursuant to 18 U.S.C. §§ 3161(h)(6),
16 (h)(7)(A), (h)(7)(B)(I), and (B)(iv).

17 3. Nothing in this Order shall preclude a finding that
18 other provisions of the Speedy Trial Act dictate that additional
19 time periods are excluded from the period within which trial must
20 commence. Moreover, the same provisions and/or other provisions
21 of the Speedy Trial Act may in the future authorize the exclusion
22 of additional time periods from the period within which trial
23 must commence.

24 Dated: February 27, 2009.

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Honorable David O. Carter
28 United States District Judge