

1 ANDRÉ BIROTTE JR.
 United States Attorney
 2 DENNISE D. WILLETT
 Assistant United States Attorney
 3 Chief, Santa Ana Branch
 LAWRENCE E. KOLE (Cal. Bar No. 141582)
 4 Assistant United States Attorney
 411 West Fourth Street, Suite 8000
 5 Santa Ana, California 92701
 Telephone: (714) 338-3594
 6 Facsimile: (714) 338-3564
 Email: larry.kole@usdoj.gov

7 Attorneys for Plaintiff
 8 United States of America

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

12
 13 UNITED STATES OF AMERICA,) Case No. SA CR 08-180-DOC
)
 14 Plaintiff,) [PROPOSED] ORDER CONTINUING
) TRIAL DATE TO NOVEMBER 8, 2011
 15 v.) AT 8:30 A.M. AND REGARDING
) EXCLUDABLE TIME PERIOD UNDER
 16 MOSES ONCIU, BEATA GIZELLA) SPEEDY TRIAL ACT
 PRIORE, and IRENE PEMKOVA,)
)
 17 Defendants.)
)

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 19 The Court has read and considered the Stipulation re
 20 Excludable Time Period under Speedy Trial Act filed by the
 21 parties in this matter on March 31, 2011. The Court hereby finds
 22 that the Stipulation, which this Court incorporates by reference
 23 into this Order, demonstrates facts that provide good cause for a
 24 finding of excludable time pursuant to the Speedy Trial Act, 18
 25 U.S.C. § 3161.

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

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

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

13 1. The trial in this matter is continued from April 26,
14 2011 to November 8, 2011 at 8:30 a.m.

15 2. The time period of April 26, 2011 to November 8, 2011,
16 inclusive, is excluded in computing the time within which the
17 trial must commence, pursuant to 18 U.S.C. §§ 3161(h)(3)(A),
18 (h)(6), (h)(7)(A), (h)(7)(B)(I), and (B)(iv).

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

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1 of additional time periods from the period within which trial
2 must commence.

3 Dated: April 1, 2011.

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Honorable David O. Carter
7 United States District Judge
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