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 8 United States of America

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

13 UNITED STATES OF AMERICA,)	Case No. SA CR 08-180-DOC
)	
14 Plaintiff,)	ORDER CONTINUING TRIAL DATE TO
)	FEBRUARY 21, 2012 AT 8:30 A.M.
15 v.)	AND REGARDING EXCLUDABLE TIME
)	PERIOD UNDER SPEEDY TRIAL ACT
16 MOSES ONCIU, BEATA GIZELLA)	
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 October 5, 2011. The Court hereby
 22 finds that the Stipulation, which this Court incorporates by
 23 reference into this Order, demonstrates facts that provide good
 24 cause for a finding of excludable time pursuant to the Speedy
 25 Trial Act, 18 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 an essential witness, 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 November 8,
14 2011 to February 21, 2012 at 8:30 a.m.

15 2. The time period of November 8, 2011 to February 21,
16 2012, inclusive, is excluded in computing the time within which
17 the 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: October 6, 2011.

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David O. Carter

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Honorable David O. Carter
United States District Judge

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