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Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, Plaintiff, v. IDOWU HASHIM SHITTU, Defendant.	Case No. 3:22-mj-70007 MAG STIPULATION TO CONTINUE STATUS CONFERENCE AND TO EXCLUDE TIME FROM APRIL 20, 2022 TO MAY 19, 2022 AND [~~PROPOSED~~] ORDER

This matter is currently set for a status conference on April 20, 2022. To provide adequate time for the defense to review discovery already produced and for the parties to engage in discussions regarding a potential resolution of this case, the parties hereby request that the status conference be continued to May 19, 2022 at 2:30 p.m.

For purposes of computing the date under Rule 5.1 of the Federal Rules of Criminal Procedure for preliminary hearing, and the date under the Speedy Trial Act by which the defendant must be charged by indictment or information, the parties agree that the time period of April 20, 2022 through May 19, 2022, should be excluded pursuant to 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i) and (h)(7)(B)(iv) because: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in the filing of an information or indictment within the period specified in

18 U.S.C. § 3161(b); and (ii) failure to grant the continuance would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Defense counsel represents that his client knowingly and voluntarily waives the timing for a preliminary hearing under Federal Rule of Criminal Procedure 5.1 through May 19, 2022.

The undersigned Assistant United States Attorney certifies that he has obtained approval from counsel for the defendant to file this stipulation and proposed order.

IT IS SO STIPULATED.

DATED: April 19, 2022

/s/ Andrew Paulson
ANDREW PAULSON
Assistant United States Attorney

DATED: April 19, 2022

/s/ Mark Reichel
MARK REICHEL
Counsel for Defendant

~~[PROPOSED]~~ ORDER

The Court hereby finds that the Stipulation, which this Court incorporates by reference into this Order, demonstrates facts that support a continuance in this matter, and provides good cause for a finding of excludable time pursuant to the Speedy Trial Act, 18 U.S.C. § 3161, as well as to waive the timing for preliminary hearing under Rule 5.1 of the Federal Rules of Criminal Procedure.

The Court further finds that: (i) the ends of justice served by the continuance outweigh the best interest of the public and defendant in the filing of an information or indictment within the time period set forth in 18 U.S.C. § 3161(b); and (ii) failure to grant the continuance would unreasonably deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

THEREFORE, FOR GOOD CAUSE SHOWN:

The status conference in this matter is continued to 2:30 p.m. on May 19, 2022. The time period from April 20, 2022 to May 19, 2022, inclusive, is excluded in computing the time within which an information or indictment must be filed under 18 U.S.C. § 3161(b) pursuant to the provisions of 18 U.S.C. §§ 3161(h)(7)(A), (h)(7)(B)(i), and (B)(iv). Nothing in this Order shall preclude a finding that

other provisions of the Speedy Trial Act dictate that additional time periods are excluded from the period within which an information or indictment must be filed.

IT IS SO ORDERED.

DATED: 4/19/22

HONORABLE THOMAS S. HIXSON
United States Magistrate Judge