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 9 UNITED STATES OF AMERICA

10 UNITED STATES DISTRICT COURT  
 11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,	)	Case No. CR 12-441-MWF
	)	
14 Plaintiff,	)	<b>ORDER CONTINUING TRIAL DATE</b>
	)	<b>AND FINDINGS REGARDING</b>
15 vs.	)	<b>EXCLUDABLE TIME PERIOD</b>
	)	<b>PURSUANT TO SPEEDY TRIAL ACT</b>
16 GARY EDWARD KOVALL, DAVID ALAN	)	
17 HESLOP PAUL PHILLIP BARDOS, and	)	CURRENT TRIAL DATE:
PEGGY ANNE SHAMBAUGH,	)	September 24, 2013
	)	
18 Defendants.	)	NEW TRIAL DATE:
	)	February 25, 2014
19	)	

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21 The Court has read and considered the Stipulation Regarding Request for (1) Continuance  
 22 of Trial Date and (2) Findings of Excludable Time Periods Pursuant to Speedy Trial Act, filed by  
 23 the parties in this matter on **August 15, 2013**. The Court hereby finds that the Stipulation, which  
 24 this Court incorporates by reference into this Order, demonstrates facts that support a continuance  
 25 of the trial date in this matter, and provides good cause for a finding of excludable time pursuant  
 26 to the Speedy Trial Act, 18 U.S.C. § 3161.

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1 The Court further finds that: (i) the ends of justice served by the continuance outweigh the  
2 best interest of the public and defendants in a speedy trial; (ii) failure to grant the continuance  
3 would be likely to make a continuation of the proceeding impossible, or result in a miscarriage of  
4 justice; and (iii) failure to grant the continuance would unreasonably deny defendants continuity of  
5 counsel and would deny defense counsel for Heslop the reasonable time necessary for effective  
6 preparation, taking into account the exercise of due diligence.

7 GOOD CAUSE THEREFOR HAVING BEEN SHOWN, THE COURT HEREBY  
8 MAKES THE FOLLOWING ORDERS AND FINDINGS:

9 1. The trial in this matter is continued from September 24, 2013 to February 25, 2014.

10 2. The time period of September 24, 2013 to February 25, 2014, inclusive, is excluded  
11 in computing the time within which the trial must commence, pursuant to 18 U.S.C.  
12 §§ 3161(h)(7)(A), (h)(7)(B)(I), and (B)(iv).

13 3. Defendants shall appear in Courtroom 1600 of the Federal Courthouse, 312 North  
14 Spring Street, Los Angeles, California on February 25, 2014, at 8:30 a.m. without further order of  
15 the Court.

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

21 IT IS SO ORDERED.



22  
23  
24 August 16, 2013  
25 DATE

THE HONORABLE MICHAEL W. FITZGERALD  
UNITED STATES DISTRICT COURT JUDGE

26 Respectfully presented by:  
27 BRANDON D. FOX  
28 Assistant United States Attorney