	Case 3:22-cr-00390-RS Docume	nt 68 Filed 12/23/22 Page 1 of 3
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9	UNITED STATES DISTRICT COURT	
10	NORTHERN DISTRICT OF CALIFORNIA	
11	SAN FRANCISCO DIVISION	
12	LINUTED STATES OF AMERICA	
13	UNITED STATES OF AMERICA,) CASE NO.: 22-CR-390-RS & 22-CR-443-RS
14	Plaintiff,	 STIPULATION AND ORDER TO CONTINUE STATUS CONFERENCE AND EXCLUDE TIME FROM JANUARY 3, 2023 TO JANUARY 24, 2023
15	v. HEVER SUAREZ	
16 17	Defendant.	
17	Defendant.)
19)
20	Plaintiff United States of America, by and through its counsel of record, the United States	
21	Attorney for the Northern District of California and Assistant United States Attorney Charles Bisesto,	
22	and defendant Hever Suarez ("Defendants"), by and through his counsel of record, Amy Craig, hereby	
23	stipulates as follows:	
24	1. On October 4, 2022, a four-count criminal Indictment was filed with the Court, charging	
25	Defendant with violations of 21 U.S.C. §§ 846, 841(a)(1), and (b)(1)(C), conspiracy to distribute and	
26	possess with intent to distribute fentanyl and heroin, 21 U.S.C. § 841(a)(1) and (b)(1)(c), possession	
27	with intent to distribute and distribution of fentanyl and heroin, and 21 U.S.C. § 843(b), unlawful use of	
28	a communication facility. See Dkt. 52.	
	STIPULATION TO EXCLUDE TIME AND OF 22-390 RS	DER Case No. CR v. 7/10/2018

2. On October 6, 2022, Defendant was arraigned on the Indictment in Magistrate Court. His matter was set for a status conference in District Court on November 8, 2022. *See* Dkt. 55.

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This matter is currently set for a status conference on January 3, 2023.

4 4. Defendant is continuing to discuss multiple potential ways to reach an early resolution of
5 the matter. Additionally, both counsel for the government and counsel for Defendant will be out of the
6 office the week of December 26 through the new year. The parties are hopeful that additional time will
7 assist in making progress towards a plea agreement, but given the time constraints listed above, both
8 parties believe the January 3, 2023 court date will not provide enough time.

5. For these reasons, the parties are requesting a further status conference date of January
24, 2023. Additionally, the parties agree that excluding time until the January 24, 2023 court date will
allow for effective preparation of counsel, taking into account the exercise of due diligence. *See* 18
U.S.C. §§ 3161(h)(7)(A), (B)(iv). The parties further stipulate and agree that the ends of justice served
by excluding the time from January 3, 2023 through January 24, 2023 from computation under the
Speedy Trial Act outweigh the best interests of the public and defendant in the prompt resolution of this
case. *See id.*

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

IT IS SO STIPULATED.

DATED: December 23, 2022

/s/ CHARLES F. BISESTO Assistant United States Attorney

DATED: December 23, 2022

AMY CRAIG Counsel for Defendant Hever Suarez

ORDER

Based upon the representations of counsel and for good cause shown, the Court continues the
status conference date from January 3, 2023 to January 24, 2023. The Court further finds that failing to
exclude the time from January 3, 2023 to January 24, 2023 would unreasonably deny defense counsel
and Defendant the reasonable time necessary for effective preparation, taking into account the exercise
of due diligence. *See* 18 U.S.C. §§ 3161(h)(7)(A), (B)(iv).

The Court further finds that the ends of justice served by excluding the time from January 3,
2023 to January 24, 2023 from computation under the Speedy Trial Act outweigh the best interests of
the public and defendant in a speedy trial. *See* § 3161(h)(7)(A).

Therefore, and with the consent of the parties, IT IS HEREBY ORDERED that the time from
January 3, 2023 through January 24, 2023 shall be excluded from computation under the Speedy Trial
Act. See id.

IT IS SO ORDERED.

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15 DATED: December 23, 2022

U.S.I.

HON. RICHARD SEEBORG United States Chief District Judge