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9 IN THE UNITED STATES DISTRICT COURT

10 EASTERN DISTRICT OF CALIFORNIA

11	EMERY L. FRANKLIN, III,	)	Case No. 1:10-cv-00142-LJO-MJS-PC
12	Plaintiff,	)	
13	v.	)	STIPULATION TO CONTINUE
14	UNITED STATES OF AMERICA,	)	CERTAIN DATES IN PRE-TRIAL
15	Defendant.	)	ORDER; ORDER
16		)	Trial: August 14, 2014
		)	Time: 8:30 a.m.
		)	Dept. 6
		)	Magistrate Judge Michael J. Seng

17 Plaintiff Emery L. Franklin, III (“Plaintiff”) and Defendant United States of America (“United  
18 States”) hereby stipulate to continue certain dates contained in the Pre-Trial Order [Dkt 119]. The  
19 parties stipulate to continue the date on which to file their optional trial briefs and submit their  
20 respective trial exhibits currently due on July 28, 2014 to August 6, 2014. The parties also stipulate to  
21 continue the date by which to oppose any motions in limine from July 28, 2014 to August 6, 2014.

22 The parties base this stipulation on good cause as the Plaintiff, who is representing himself in  
23 this action, has been in transit pursuant to the Order & Writ of Habeas Corpus Ad Testificandum to  
24 Transport Emery L. Franklin [Dkt 120] for the upcoming trial in this matter. As outlined in Plaintiff’s  
25 Letter to the Judge [Dkt 124] filed July 16, 2014, Plaintiff began his transport from Lompoc, California  
26 on Monday July 14, 2014. Plaintiff arrived in Fresno on Wednesday, July 23, 2014. The United States  
27 arranged a trial exhibit conference on Thursday, July 24, 2014. At that time, the United States provided  
28 Plaintiff with the United States’ motions in limine and agreed to provide: 1) a full and complete copy of

1 Plaintiff's exhibits for trial preparation; and 2) a full and complete copy of the United States' trial  
2 exhibits on or before July 25, 2014.

3 The parties request the court endorse this stipulation by way of formal order.

	Current Date	New Date
4		
5 Last day to file and serve any		
6 Opposition to Motions in Limine	July 28, 2014	August 6, 2014
7 Optional Trial Briefs	July 28, 2014	August 6, 2014
8 Original and five copies of all trial		
9 Exhibits along with exhibit lists to be submitted	July 28, 2014	August 6, 2014

10 All other dates and provisions of the Pre-Trial Order [Dkt 119] shall remain unchanged.

11 Respectfully submitted,

12 Dated: July 24, 2014

BENJAMIN B. WAGNER  
United States Attorney

14 By: /s/Jeffrey J. Lodge  
JEFFREY J. LODGE  
Assistant U.S. Attorney  
Attorneys for the United States

17 Dated: July 24, 2014

19 /s/Emery L. Franklin III  
Emery L. Franklin III  
Plaintiff In Pro Per

### 22 ORDER

23 Having reviewed the stipulation submitted by the parties, the court continues the dates as  
24 outlined above from July 28, 2014 to August 6, 2014. All other dates and provisions of the Pre-Trial  
25 Order [Dkt 119] shall remain unchanged.  
IT IS SO ORDERED.

26 Dated: July 25, 2014

27 /s/ Michael J. Seng  
UNITED STATES MAGISTRATE JUDGE

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