

1 JOSEPH P. RUSSONIELLO (CSBN 44332)
United States Attorney

2 BRIAN J. STRETCH (CSBN 163973)
3 Acting Chief, Criminal Division

4 SUSAN B. GRAY (CSBN 100374)
Assistant United States Attorney

5 450 Golden Gate Avenue, 9th Floor
6 San Francisco, CA 94102
7 Telephone: 415.436.7324
8 Facsimile: 415.436.6748
Email: Susan.B.Gray@usdoj.gov

9 Attorneys for United States of America

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

14 UNITED STATES OF AMERICA,)
15 Plaintiff,)
16 v.)
17 APPROXIMATELY \$61,505 IN UNITED)
18 STATES CURRENCY,)
19 Defendant.)

No. 07-5413 MMC

STIPULATED REQUEST TO CONTINUE
SUPPRESSION HEARING
AND ~~(PROPOSED)~~ ORDER

20 The United States, and Claimant Joseph Alioto, Jr, by and through his attorney, David. M.
21 Michael, submit this joint request to continue the hearing on the claimant’s motion to suppress
22 currently scheduled in the above entitled case from December 12, 2008, to any of the dates
23 suggested below, for the reasons set forth below.

24 After consultation this afternoon, the parties agree that additional discussions between the
25 parties may help to narrow the issues before the court and allow for stipulated facts which would
26 lessen the court time necessary for the motion hearing. The parties request that the hearing be
27 continued to any of the following dates, January 26, 27, 28, or 30, or February 3, 4 or 6.

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1 In the alternative, if the court's calendar does not permit a 30 to 60 day extension the
2 parties agree to referral to a Magistrate Judge for the hearing and findings of fact and conclusions
3 of law.

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5 Respectfully submitted,

6 JOSEPH P. RUSSONIELLO
7 United States Attorney

8 Dated: December 11, 2008

9 _____/S/
10 SUSAN B. GRAY
11 Assistant United States Attorney

12 Dated: December 11, 2008

13 _____/S/
14 DAVID M. MICHAEL, ESQ.
15 Attorney for Claimant Frank Joseph Alioto, Jr.

16 GOOD CAUSE APPEARING, the hearing currently set for Claimant's Motion to
17 hereby VACATED. Counsel shall submit, no later than Thursday,
18 Suppress on December 12, 2008, is continued to _____, 2009.
19 December 18, 2008 at 5:00 p.m., a jointly-proposed supplemental briefing schedule and
20 ~~IT IS SO ORDERED~~ hearing date.

21 IT IS SO ORDERED.

22 Dated: December 11, 2008

23 
24 MAXINE M. CHESNEY
25 United States District Judge
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