

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

**FILED**

JUN 3 1980

CLERK, U. S. DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA  
BY [Signature] CLERK

RE:	)	
	)	
AMENDMENT TO GENERAL ORDER NO. 92;	)	
PLAN FOR PROMPT DISPOSITION OF	)	GENERAL ORDER NO. 93
CRIMINAL CASES PURSUANT TO	)	
SPEEDY TRIAL ACT OF 1974	)	
	)	

Good Cause Appearing;

IT IS HEREBY ORDERED that the Speedy Trial Plan of April 29, 1980 is amended as indicated on the two attached pages. (8 + 20)

DATED: June 3, 1980.

[Signature]  
PHILIP C. WILKINS  
CHIEF UNITED STATES DISTRICT JUDGE

This amendment becomes effective upon approval of the reviewing panel designated in accordance with 18 U.S.C. § 3165(c).

This amendment was approved by the Judicial Council of the Ninth Circuit on June 13, 1980.

Attest: [Signature]  
James R. Grindstaff  
Clerk, U.S. District Court  
Eastern District of California

by a judicial officer in the manner prescribed by paragraph (b) of this section.

7. Minimum Period for Defense Preparation

Unless the defendant consents in writing to the contrary, the trial shall not commence earlier than 30 days from the date on which the indictment or information is filed or, if later, from the date on which counsel first enters an appearance or on which the defendant expressly waives counsel and elects to proceed pro se. For the purposes of this section the acceptance of a plea of guilty or nolo contendere does not constitute the commencement of trial. In circumstances in which the 70-day time limit for commencing trial on a charge in an indictment or information is determined by reference to an earlier indictment or information pursuant to section 4(d), the 30-day minimum period shall also be determined by reference to the earlier indictment or information. When prosecution is resumed on an original indictment or information following a mistrial, appeal, or withdrawal of a guilty plea, a new 30-day minimum period will not begin to run. The court will in all cases schedule trials so as to permit defense counsel adequate preparation time in the light of all the circumstances. [See 18 U.S.C. § 3161(c)(2); § 3162(2).]

8. Time Within Which Defendant Should be Sentenced

determined without regard to the existence of the original indictment or information.

(e) Measurement of Time Periods. For the purposes of this section:

(1) If a defendant signs a written consent to be tried before a magistrate and no indictment or information charging the offense has been filed, the time limit shall run from the date of such consent.

(2) In the event of a transfer to this district under Rule 20 of the Federal Rules of Criminal Procedure, the indictment or information shall be deemed filed in this district when the papers in the proceeding or certified copies thereof are received by the clerk.

(3) A trial in a jury case shall be deemed to commence at the beginning of voir dire.

(4) A trial in a non-jury case shall be deemed

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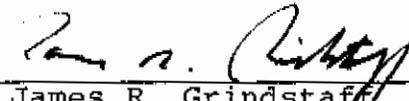
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Approved by The Judicial Council of the Ninth Circuit on  
May 1, 1981.

Attest:



James R. Grindstaff  
Clerk, U.S. District Court  
Eastern District of California