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Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 10-00384 LEK
)	
Plaintiff,)	STIPULATION AND ORDER CONTINUING
)	TRIAL DATE AND EXCLUDING
vs.)	TIME UNDER THE SPEEDY TRIAL
)	ACT
ROGER CUSICK CHRISTIE, (01))	
SHERRYANNE L. ST. CYR, (02))	
SUSANNE LENORE FRIEND, (03))	
TIMOTHY M. MANN, (04))	
RICHARD BRUCE TURPEN, (05))	
WESLEY MARK SUDBURY, (06))	
DONALD JAMES GIBSON, (07))	
ROLAND GREGORY IGNACIO, (08))	
PERRY EMILIO POLICICCHIO, (09))	
JOHN DEBAPTIST BOUEY, III, (10))	
MICHAEL B. SHAPIRO, (11))	
also known as "Dewey",)	
AARON GEORGE ZEEMAN, (12))	
VICTORIA C. FIORE, (13))	
JESSICA R. WALSH, also (14))	
known as "Jessica Hackman)	
)	OLD TRIAL DATE: 08/28/12
Defendants.)	NEW TRIAL DATE: 01/23/13
)	

STIPULATION CONTINUING TRIAL DATE AND
EXCLUDING TIME UNDER THE SPEEDY TRIAL ACT

A. Defendants other than ROGER CUSICK CHRISTIE, SHERRYANNE L. ST. CYR, RICHARD BRUCE TURPEN, WESLEY MARK SUDBURY, DONALD JAMES GIBSON, ROLAND GREGORY IGNACIO, PERRY EMILIO POLICICCHIO, JOHN DEBAPTIST BOUEY, III, and AARON GEORGE ZEEMAN, have heretofore pled guilty and are pending sentencing, and the instant stipulation applies only to the trial of defendants Christie, St. Cyr, Turpen, Sudbury, Gibson, Ignacio, Policicchio, Bouey, III, and Zeeman. The United States of America and the defendants mentioned above, through their undersigned attorney, hereby agree and stipulate to continue the trial in this case and to exclude the time period from August 28, 2012 and the new trial date (January 23, 2013) from computation under the Speedy Trial Act. The reason for the continuance is the recent entries into this case of Thomas Otake, Esq. and Lynn Panagakos, Esq., who are new appointed counsel for defendants Christie and St. Cyr, respectively. These attorneys will require additional time to acquaint themselves with this case and to prepare for trial and other pretrial matters.

After consulting the parties' current trial schedules and other pre-existing commitments, the first available date convenient to the parties and the Court would be January 23, 2013.

B. The parties further agree that the ends of justice served by the continuance outweigh the best interests of the

Defendants and the public in a speedy trial, and:

1. The failure to grant such a continuance would be likely

___ to make a continuation of such proceeding impossible

___ to result in a miscarriage of justice.

2. The case is so

___ unusual

X complex

due to

X the number of defendants

X the nature of the prosecution

X the existence of novel questions of fact or law

that it is unreasonable to expect adequate preparation for pretrial proceedings or for the trial itself within the time limits established by the Speedy Trial Act.

3. The failure to grant the continuance would

___ deny the defendants reasonable time to obtain counsel

X unreasonably deny the defendants Christie and St. Cyr continuity of counsel

___ unreasonably deny the government continuity of counsel

X deny counsel for defendants Christie and St. Cyr the reasonable time necessary for effective preparation, taking into account the exercise of due diligence

___ deny counsel for the government the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

4. (Other factors considered)_____.

C. The parties further agree that the period of time from August 28, 2012 to and including January 23, 2013 constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B).

DATED: May 18, 2012, at Honolulu, Hawaii.

FLORENCE T. NAKAKUNI
United States Attorney
District of Hawaii

/s/ Thomas M. Otake

THOMAS M. OTAKE, ESQ.
Attorney for Defendant
ROGER CUSICK CHRISTIE

/s/ Michael K. Kawahara
By _____
MICHAEL K. KAWAHARA
Assistant U.S. Attorney

/s/ Lynn E. Panagakos

LYNN E. PANAGAKOS, ESQ.
Attorney for Defendant
SHERRYANNE L. ST. CYR

/s/ Barry D. Edwards

BARRY D. EDWARDS, ESQ.
Attorney for Defendant
RICHARD BRUCE TURPEN

/s/ Michael J. Park

MICHAEL J. PARK, ESQ.
Attorney for Defendant
WESLEY MARK SUDBURY

/s/ Richard S. Kawana

RICHARD S. KAWANA, ESQ.
Attorney for Defendant
DONALD JAMES GIBSON

/s/ Louis Michael Ching

LOUIS MICHAEL CHING, ESQ.
Attorney for Defendant
ROLAND GREGORY IGNACIO

/s/ Donald L. Wilkerson

DONALD L. WILKERSON, ESQ.
Attorney for Defendant
PERRY EMILIO POLICICCHIO

/s/ Cynthia A. Kagiwada

CYNTHIA A. KAGIWADA, ESQ.
Attorney for Defendant
JOHN DEBAPTIST BOUEY, III

/s/ William M. Domingo

WILLIAM M. DOMINGO, ESQ.
Attorney for Defendant
AARON GEORGE ZEEMAN

ORDER CONTINUING TRIAL AND EXCLUDING SPEEDY TRIAL ACT TIME

The above Stipulation Continuing Trial Date And Excluding Time Under the Speedy Trial Act is hereby approved, and the agreements set forth in paragraphs A, B, and C of the Stipulation are adopted as findings by the court. For the reasons stated, IT IS HEREBY ORDERED:

(1) the jury selection and trial are set for January 23, 2013, before the Honorable Leslie E. Kobayashi, U.S. District Judge;

(2) the final pretrial conference is set for December 17, 2012 at 1:30 p.m. before Magistrate Judge Barry M. Kurren

(3) defense motions are due on December 3, 2012, and the government's responses are due on December 17, 2012.

IT IS FURTHER ORDERED that the period of time from August 28, 2012 to and including January 23, 2013, constitutes a period of delay which shall be excluded in computing the time within which the trial in this case must commence pursuant to the Speedy Trial Act, 18 U.S.C. §§ 3161(h)(7)(A) and (h)(7)(B).

DATED: May 21, 2012, at Honolulu, Hawaii.



/s/ Leslie E. Kobayashi
Leslie E. Kobayashi
United States District Judge