

1	Jeffrey A. Dickstein, Bar Number 70638
2	Law Offices of Robert G. Bernhoft DEC 13 2004
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3	Milwaukee, WI 53202  EASTERN LI
-	(414) 2/6-3333 telephone
4	Attorney for Joseph Banister
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6	IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA
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8	UNITED STATES OF AMERICA, ) CR. No. S-04-435 WBS
9	Plaintiff,
10	vs. )
11	JOSEPH BANISTER, et al.,
12	)
13	Defendants. )
15 16	DEFENDANT BANISTER'S NOTICE OF MOTION TO VACATE AND RESET DATES TO FILE PRE-TRIAL MOTIONS, FOR THE PRE-TRIAL CONFERENCE AND HEARING ON PRE-TRIAL MOTIONS, AND FOR TRIAL
16 17	COMES NOW Defendant Joseph Banister, by and through his undersigned
18	attorney of record, who gives notice that on December 22, 2004 at 9:00 a.m., at the
19	courthouse located at United States Courthouse, 501 "I" street, Sacramento, California
20	95814, he will move the Court for an order vacating the date of December 27, 2004 for
21	the last date to file Defendant's pre-trial motions, the date of January 12, 2005 for the
22 23	pre-trial conference and hearing on pre-trial motions, and the date of January 19, 2005 for
24	the trial, and for the resetting of those dates.
25	The motion will be based on this notice, as well as Defendant's motion to
26	continue and request for finding of excludable time, filed concurrently herewith.
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1.	Dated: December 10, 2004.	•
2		The Law Office of Robert G. Bernhoft, S.C.
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5		By: All Control of the By A. Dickstein
6		Artorney for Defendant Joseph Banister
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## CERTIFICATE OF SERVICE The undersigned, on this 10th day of December, 2004, caused the within and foregoing document to be mailed by first class mail, postage prepaid, to the interested parties and/or their counsel of record as follows: Rachelle Barbour, Asst. Public Defender 801 I Street, 3rd Floor Sacramento, CA 95814 AUSA Robert M. Twiss 501 I Street, Suite 10-100 Sacramento, CA 95814 Walter A. Thompson Sacramento County Main Jail 651 I Street Sacramento, CA 95814-2400