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CLERK OF DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
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IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,) CR. No. S-04-435 WBS
)
Plaintiff,)
)
vs.)
)
JOSEPH BANISTER, et al.,)
)
Defendants.)

**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**

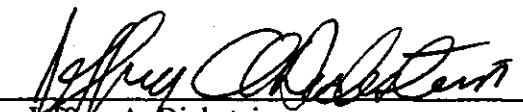
COMES NOW Defendant Joseph Banister, by and through his undersigned attorney of record, who gives notice that on December 22, 2004 at 9:00 a.m., at the courthouse located at United States Courthouse, 501 "I" street, Sacramento, California 95814, he will move the Court for an order vacating the date of December 27, 2004 for the last date to file Defendant's pre-trial motions, the date of January 12, 2005 for the pre-trial conference and hearing on pre-trial motions, and the date of January 19, 2005 for the trial, and for the resetting of those dates.

The motion will be based on this notice, as well as Defendant's motion to continue and request for finding of excludable time, filed concurrently herewith.

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Dated: December 10, 2004.

The Law Office of Robert G. Bernhoft, S.C.

By: 
Jeffrey A. Dickstein
Attorney for Defendant Joseph Banister

