

1 KAREN P. HEWITT  
 United States Attorney  
 2 EDWARD C. WEINER  
 Assistant U.S. Attorney  
 3 California State Bar No. 48843  
 United States Attorney's Office  
 4 880 Front Street, Room 6293  
 San Diego, California 92101-8893  
 5 Telephone: (619) 557-7125/(619) 557-3445 (Fax)  
 Email: edward.weiner@usdoj.gov  
 6  
 Attorneys for Plaintiff  
 7 United States of America

8 UNITED STATES DISTRICT COURT  
 9 SOUTHERN DISTRICT OF CALIFORNIA  
 10

11	UNITED STATES OF AMERICA,	)	Criminal Case No. 93cr0471-L
		)	
12	Plaintiff,	)	DATE: November 5, 2007
		)	TIME: 2:00 p.m.
13	v.	)	
		)	GOVERNMENT'S RESPONSE
14	REFUGIO GAMES-LOPEZ (3),	)	TO DEFENDANT GAMES-LOPEZ'
		)	MOTION TO DISMISS FOR
15	Defendant.	)	POST-INDICTMENT DELAY
16	_____	)	

17 COMES NOW the plaintiff, United States of America, by and through  
 18 its counsel, Karen P. Hewitt, United States Attorney, and Edward C.  
 19 Weiner, Assistant U.S. Attorney, and hereby files its response to the  
 20 motion of defendant Refugio Games-Lopez to dismiss the indictment for  
 21 post-indictment delay. After consideration of the holding of the  
 22 United States Supreme Court in Doggett v. United States, 505 U.S. 647  
 23 (1992), the Government believes that defendant Games-Lopez has made  
 24 out a case of "presumptive prejudice" which the Government could not  
 25 rebut and thus the Government will make a separate motion to dismiss  
 26 //  
 27 //  
 28 //

1 the indictment when defendant Games-Lopez appears in court for his  
2 next scheduled court appearance.

3 DATED: November 1, 2007.

4 KAREN P. HEWITT  
5 United States Attorney

6 s/Edward C. Weiner  
7 EDWARD C. WEINER  
8 Assistant United States Attorney  
9 Attorneys for Plaintiff  
10 United States of America  
11 Email: edward.weiner@usdoj.gov  
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,	)	Case No. 93cr0471-L
	)	
Plaintiff,	)	
	)	
v.	)	
	)	CERTIFICATE OF SERVICE
REFUGIO GAMES-LOPEZ (3),	)	
	)	
Defendant.	)	
_____	)	

IT IS HEREBY CERTIFIED THAT:

I, Edward C. Weiner, am a citizen of the United States and am at least eighteen years of age. My business address is 880 Front Street, Room 6293, San Diego, California 92101-8893.

I am not a party to the above-entitled action. I have caused service of Government's Response to Defendant Games-Lopez' Motion to Dismiss for Post-Indictment Delay, on the following parties by electronically filing the foregoing with the Clerk of the District Court using its ECF System, which electronically notifies them.

Timothy A. Scott

I hereby certify that I have caused to be mailed the foregoing, by the United States Postal Service, to the following non-ECF participants on this case: None.

the last known address, at which place there is delivery service of mail from the United States Postal Service.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 1, 2007.

s/Edward C. Weiner  
EDWARD C. WEINER