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9 Attorney for Defendant,
10 DENNIS ANTIEAU

11
12 IN THE UNITED STATES DISTRICT COURT
13 FOR THE EASTERN DISTRICT OF CALIFORNIA
14

15 UNITED STATES OF AMERICA,) Case No.: 1:10-CR-00431 LJO
16)
17 Plaintiff,)
18)
19 vs.) STIPULATION, DECLARATION OF
20) ANTHONY P. CAPOZZI AND ORDER
21) TO CONTINUE SURRENDER DATE
22 DENNIS ANTIEAU,)
23)
24 Defendant.)
25)
26)
27)
28)

29 It is hereby stipulated between the United States Attorney
30 by and through its counsel Brian Enos, the Defendant, Dennis
31 Antieau, by and through his counsel of record, Anthony P.
32 Capozzi that the surrender date of April 1, 2013, to the
33 Federal Correctional Institution at Lompoc, California, be
34 vacated and that a new surrender date of **June 3, 2013**, be
35 ordered.

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1 IT IS SO STIPULATED.

2 Dated: March 27, 2013

3 /s/ Brian Enos
4 Assistant United States
5 Attorney

6 Dated: March 27, 2013

7 /s/ Anthony P. Capozzi
8 Anthony P. Capozzi
9 Attorney for
10 DENNIS ANTIEAU

11 **DECLARATION OF ANTHONY P. CAPOZZI**

12
13 I, Anthony P. Capozzi, declare that I am an attorney
14 licensed to practice law in the State of California and is in
15 good standing. I am counsel of record for Defendant, Dennis
16 Antieau. I have personal knowledge of the facts stated below
17 and could testify competently to them if required.

18 1. This attorney has been retained by Defendant, Dennis
19 Antieau, in an attempt to have the Bureau of Prisons re-
20 designate the Defendant to the Medical Facility at Terminal
21 Island.

22 2. The Defendant's previous attorney, Richard Berman, has
23 since retired and is not able to represent Mr. Antieau.

24 3. Mr. Antieau has a serious heart condition which must
25 be attended to while incarcerated.

26 4. Mr. Antieau's medical records have been submitted
27 to the Federal Correctional Institute at Lompoc, California
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1 and the Bureau of Prisons Designation Center in Grand
2 Prairie, Texas.

3 5. The facility is in the process of reviewing Mr.
4 Antieau's medical records and, therefore, the Bureau of
5 Prisons has not yet made a final determination regarding Mr.
6 Antieau's placement.

7 6. This attorney has spoken to the United States Pre-
8 trial officer Jacob Scott and to Assistant United States
9 Attorney Brian Enos and both agree to a continuance of the
10 surrender date.

11 7. Since the last Stipulation the status of the Mr.
12 Antieau's Medical Request for a re-designation is still being
13 reviewed. The U.S. Marshal's office is also looking into the
14 status of the review of medical records.

15 8. It is respectfully requested that the Defendant be
16 allowed to surrender on **June 3, 2013, at 2:00 p.m.** in order
17 for the Bureau of Prisons to review his medical records and
18 to issue its decision regarding a re-designation to Terminal
19 Island.

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21 /s/ Anthony Capozzi
22 Anthony P. Capozzi
23 Declarant
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ORDER

Having read the foregoing Stipulation and Declaration, good cause has been shown to vacate Defendant's surrender date of April 1, 2013, and that a new surrender date of **June 3, 2013**, be ordered.

IT IS SO ORDERED.

Dated: March 28, 2013

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE