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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,
Plaintiff,
v.
Joseph M. Arpaio,
Defendant.

No. CR-16-01012-001-PHX-SRB
ORDER

The Court has received notice from the Department of Justice, Office of the Pardon Attorney of the August 25, 2017 Pardon of the Defendant. The notice also attached a copy of the Full and Unconditional Pardon of Defendant. Defendant has also filed a Motion for Vacatur and Dismissal with Prejudice [Doc. 220]. In the motion the Defendant asks that the Court rule promptly. The motion cannot be considered ex parte because it requests more than vacating the sentencing date and dismissal with prejudice. The Court cannot rule on the motion until the Government has had an opportunity to respond and Defendant an opportunity to file a reply. Defendant also requested that the motion be set for argument.

IT IS ORDERED vacating the October 5, 2017 sentencing and the September 29, 2017 deadline for filing sentencing memoranda, motions for departure, letters, and the names of witnesses to testify or make statements.


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1 IT IS FURTHER ORDERED that the Government shall not file any response to
2 the pending Motions for New Trial and For a Judgment of Acquittal (Docs. 217 & 218)
3 pending further Order of the Court.

4 IT IS FURTHER ORDERED setting oral argument on Defendant's Motion for
5 Vacatur and Dismissal With Prejudice [Doc. 220] on **Wednesday, October 4, 2017, at**
6 **10:00 a.m.**

7 Dated this 29th day of August, 2017.

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13 Susan R. Bolton
14 United States District Judge
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