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9 Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

15 UNITED STATES OF AMERICA, )  
16 Plaintiff, )  
17 v. )  
18 DENNIS COLLINS, )  
19 Defendant. )  
20 )

No. CR 11-00471-DLJ

**[PROPOSED] ORDER SETTING  
DEFENDANT'S APPEARANCE FOR  
NOVEMBER 1, 2011 AND EXCLUDING  
TIME FROM SEPTEMBER 1, 2011 TO  
NOVEMBER 1, 2011, FROM  
CALCULATIONS UNDER THE  
SPEEDY TRIAL ACT (18 U.S.C. § 3161)**

On September 1, 2011, defendant Dennis Collins (“defendant”) made his initial appearance before United States Magistrate Judge Paul S. Grewal. Peter Leeming, Esq. was appointed to represent the defendant. The United States was represented by Assistant United States Attorneys Matthew A. Parrella and Hanley Chew.

26 The parties met and conferred concerning the terms for defendant's pretrial release.

27 Specifically, the parties discussed and reached an agreement concerning the terms of defendant's

1 use of computers and other electronic devices and access to the Internet. The Court stated that it  
2 would adopt the agreement by the parties. Therefore, the Court orders the existing terms for the  
3 defendant's pretrial release remain unchanged except as follows:

4 (1) Defendant shall not participate in or access any Internet Relay Chats (IRC);

5 (2) Defendant shall not use or access the Twitter website or service;

6 (3) Defendant shall identify to Pretrial Services all computers and/or electronic devices  
7 that he requests to use which could be used to access either IRC or Twitter or the Internet except  
8 those computers and/or electronic devices in office of his attorney for the conduct of his defense;

9 (4) Defendant shall not delete any Internet history, registry information, cookies, or other  
10 tracking information on the computers and/or electronic devices that he identifies except those  
11 computers and/or electronic devices in office of his attorney for the conduct of his defense;

12 (5) Pretrial Services will have the right to inspect and examine the contents of all of the  
13 computers and/or electronic devices designated by the defendant after providing defendant with  
14 reasonable notice except those computers and/or electronic devices in office of his attorney for  
15 the conduct of his defense to ensure that the defendant has not used any IRC or Twitter services,  
16 and has not deleted any Internet history, registry information, cookies or other tracking  
17 information;

18 (6) The inspection and examination of the computers and/or electronic devices shall not  
19 include personal communications, such as communications with counsel, family members and  
20 friends otherwise not precluded as co-defendants or known members of the Anonymous,  
21 Lulzsec, or Anti-Sec groups; activities related to school or work; or financial activity;

22 (7) Defendant shall be present during the examination of his computers and/or electronic  
23 devices, and the computer and/or electronic devices shall not be kept for inspection and  
24 examination beyond any appointment for such inspection and examination;

25 (8) Nothing in this Order shall be construed to limit the authority of Pretrial Services to  
26 request leave of the Court to either extend the period of examination for defendant's computers  
27 and/or electronic devices or examine the computers and/or electronic devices outside of the  
28 presence of the defendant.

1 (9) Defendant shall not communicate with any other defendants in the above-captioned  
2 case except in the physical or virtual presence of his counsel;

3 (10) Defendant shall not communicate with any individuals that he knows to be members  
4 of the Anonymous, Lulzsec, or Anti-Sec groups; and

5 (11) Travel for the defendant shall be limited to the Northern District of California, the  
6 Northern District of Ohio and the Eastern District of Michigan.

7 The Court ordered the parties to appear before the Honorable D. Lowell Jensen on  
8 November 1, 2011 at 9:00 a.m. as the next appearance. Given that amount of discovery in this  
9 case, the number of defendant and the need of defense counsel for additional time to investigate  
10 the facts of the case, the parties requested that the Court enter an exclusion of time from  
11 calculations under the Speedy Trial Act, 18 U.S.C. § 3161, for the period from September 1,  
12 2011 through November 1, 2011. The parties also requested that, given the voluminous  
13 discovery, complexity of the issues and large number of defendants, the Court designate this case  
14 as complex pursuant to 18 U.S.C. § 3161(h)(7)(B)(ii).

15 Therefore, for good cause shown, the Court finds that: (1) the defendant understands  
16 and agrees to the exclusion of time from calculations under the Speedy Trial Act, 18 U.S.C. §  
17 3161, from September 1, 2011 through November 1, 2011 based upon the need for the defense  
18 counsel to investigate further the facts of the present case, and evaluate further possible defenses  
19 and motions available to the defendant; (2) the exclusion of time is necessary for effective  
20 preparation of the defense and is in the defendant's best interests; and (3) the ends of justice are  
21 served by excluding from calculations the period from September 1, 2011 through November 1,  
22 2011.

23 Accordingly, the Court orders that next appearance in this case shall be November 1,  
24 2011 before this Court and the time from September 1, 2011 through November 1, 2011 be  
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1 excluded from time calculations under the Speedy Trial Act, 18 U.S.C. § 3161. The Court also  
2 ordered that this case be designated as complex pursuant to U.S.C. § 3161(h)(7)(B)(ii).

3 **IT IS SO ORDERED.**

4 DATED: September \_\_, 2011.

5  
6 HONORABLE PAUL S. GREWAL  
7 United States Magistrate Judge  
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