1 2	BRIAN J. STRETCH (CABN 163973) United States Attorney BARBARA J. VALLIERE (DCBN 439353)	CHARLES D. SWIFT (TXBN 24091964) LINDA MORENO (CABN 92854) Constitutional Law Center for	
3	Chief, Criminal Division	Muslims in America 833 E. Arapaho Rd., Suite 102	
4	SARA C. SWEENEY (GABN 108363) JAMES D. MANDOLFO (FLBN 96044) Assistant United States Attorneys	Richardson, TX 75081 Phone: (972) 914-2507 Fax: (972) 692-7454	
5	1301 Clay Street, Suite 340S	cswift@clcma.org	
6	Oakland, California 94612 Telephone: (510) 637-3680	Counsel for Defendant SALMAN	
7 8	FAX: (510) 637-3724 sara.sweeney@usdoj.gov		
9	Attorneys for United States of America		
10		HAITHAM AMIN (CABN 286979)	
11		75 BROADWAY ST, SUITE 202 SAN FRANCISCO, CA 94111 Phone: (415) 300-2037	
12		hgamin@anlegalfirm.com	
13		Counsel for Defendant SALMAN	
14	LINITED STATI	ES DISTRICT COURT	
15	UNITED STATES DISTRICT COURT		
16	NORTHERN DISTRICT OF CALIFORNIA		
17	OAKLAND DIVISION		
18	UNITED STATES OF AMERICA,) No. CR 17-70058-MAG	
19	Plaintiff,))) JOINT MOTION OF THE PARTIES TO CANCEL	
20	v.	THE REMOVAL HEARING SET FOR APRIL 10,	
21	NOOR ZAHI SALMAN,) 2017, AND ORDER THE DEFENDANT TRANSFERRED TO THE MIDDLE DISTRICT OF	
22	Defendant.	, FLORIDA	
23		,	
24	The parties hereby jointly inform this Court that the defendant, Noor Zahi Salman, has waived		
25	her right to a removal hearing under Fed. R. Crim. Pro. 5(c)(3)(D) and consents to her transfer to the		
26	Middle District of Florida, Orlando Division, for further proceedings. The defendant's written waiver of		
27	her right to a removal hearing is attached hereto as Attachment A.		
28	JOINT MOTION RE: REMOVAL HEARING CR 17-70058-MAG		

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1	The parties also jointly move this Court to cancel the removal hearing presently set for April 10,		
2	2017, and order the defendant transferred to the Middle District of Florida, Orlando Division, for further		
3	proceedings. A proposed order is attached he	ereto as Attachment B.	
4			
5	DATED: April 4, 2017	Respectfully submitted,	
6		BRIAN J. STRETCH United States Attorney	
7		- · · · · · · · · · · · · · · · · · · ·	
8		SARA C. SWEENEY	
9		Assistant United States Attorney	
10			
11		JAMES D. MANDOLFO	
12		Assistant United States Attorney	
13			
14		/s/	
15		CHARLES D. SWIFT Counsel for Defendant Noor Salman	
16			
17		LINDA MORENO	
18		Counsel for Defendant Noor Salman	
19			
20		HAITHAM AMIN	
21		Counsel for Defendant Noor Salman	
22			
23			
24			
25			
26			
27			
28	JOINT MOTION RE: REMOVAL HEARING CR 17-70058-MAG		

JOINT MOTION RE: REMOVAL HEARING CR 17-70058-MAG

CERTIFICATE OF SERVICE

WE HEREBY CERTIFY that a true and correct copy of the Joint Motion to Cancel the Removal Hearing and Transfer the Defendant to the Middle District of Florida was served by electronic service on April 4, 2017, on all counsel or parties of record on the service list.

/s/
SARA C. SWEENEY
Assistant United States Attorney

JAMES D. MANDOLFO
Assistant United States Attorney

Attachment A

- 1	Į.		
1	Charles D. Swift, Esq. Constitutional Law Center for		
2	Muslims in America 833 E. Arapaho Rd., Suite 102		
3	Richardson, TX 75081		
4	Phone: (972) 914-2507 Fax: (972) 692-7454		
5	cswift@clcma.org Pro Hac Counsel for Defendant SALMAN		
6	170 The Course for Boldman of British		
7	IN THE UNITED STATES DISTRICT COURT		
8	FOR THE NORTHER	FOR THE NORTHERN DISTRICT OF CALIFORNIA	
9	OAKLAND DIVISION		
10	UNITED STATES OF AMERICA,	No. 4-17-70058-MAG	
11	Plaintiff,	WAIVER OF HEARING	
12	v.		
13	NOOR SALMAN,	Judge: Magistrate Judge Donna M. Ryu	
14	Defendant.		
15			
16	COMES NOW the Defendant, Noor Z. S	Salman, buy and through her counsel of record,	
17 18	Charles D. Swift, and agrees to waive the ID and Removal Hearing, presently scheduled in the		
19	Northern District of California, Oakland Division, on Monday, April 10, 2017, before Magistrate		
20	Ryu. Defendant Noor Salman requests that this honorable Court issue a Commitment Order so		
21	that the Defendant can be removed forthwith, in custody, by the US Marshalls to the Middle		
22	District of Florida.		
23	Signed this date of Mark, 2017.		
24			
25	Mr. Lehren		
26	Noor Z. Salman, Defendant		
27			
20			

UNITED STATES V. SALMAN, CR 4-17-70058-MAG STIPULATION TO VACATE 4/10/2017 HEARING 1

Attachment B

1 2 3 4 5 6 7 8	BRIAN J. STRETCH (CABN 163973) United States Attorney BARBARA J. VALLIERE (DCBN 439353) Chief, Criminal Division SARA C. SWEENEY (GABN 108363) JAMES D. MANDOLFO (FLBN 96044) Assistant United States Attorneys 1301 Clay Street, Suite 3408 Oakland, California 94612 Telephone: (510) 637-3680 FAX: (510) 637-3724 sara.sweeney@usdoj.gov	CHARLES D. SWIFT (TXBN 24091964) LINDA MORENO (CABN 92854) Constitutional Law Center for Muslims in America 833 E. Arapaho Rd., Suite 102 Richardson, TX 75081 Phone: (972) 914-2507 Fax: (972) 692-7454 cswift@clcma.org Counsel for Defendant SALMAN	
	Attorneys for United States of America		
9		HAITHAM AMIN (CABN 286979)	
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12		hgamin@anlegalfirm.com	
13		Counsel for Defendant SALMAN	
14	UNITED STATES DISTRICT COURT		
15	NORTHERN DISTRICT OF CALIFORNIA		
16	OAKLAND DIVISION		
17			
18	UNITED STATES OF AMERICA,	No. CR 17-70058-MAG	
19	Plaintiff,	[PROPOSED] ORDER	
20	v. (
21	NOOR ZAHI SALMAN,		
22	Defendant.		
23			
24	Pursuant to the Parties' Joint Motion to Cancel the Removal Hearing and Transfer the Defendant		
25	to the Middle District of Florida, it is hereby ordered that the removal hearing set for April 10, 2017, at		
26	9:30 a.m., is cancelled.		
27	It is further ordered that the defendant is hereby ordered transferred to the Middle District of		
28	[PROPOSED] ORDER CR 17-70058-MAG		
	 		

[PROPOSED] ORDER CR 17-70058-MAG

Florida, Orlando Division, for further proceedings.

The defendant remains in custody following the proceedings in this Court.

It is further ordered that the United States Marshal must transport the defendant, together with a copy of this order, to the charging district and deliver the defendant to the United States Marshal for that district, or to another officer authorized to receive the defendant. The Marshal or officer in the charging district should immediately notify the United States Attorney and the Clerk of Court for that district of the defendant's arrival so that further proceedings may be promptly scheduled. The Clerk of this district must promptly transmit the papers and any bail to the charging district.

DATED:

United States Magistrate Judge Donna M. Ryu