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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF ARIZONA**

11 United States of America,

Plaintiff,

12 v.

13 Joseph M. Arpaio,
14 Steven R. Bailey,
15 Michelle Iafrate, and
Gerard Sheridan,

16 Defendants.

NO. 2:16-CR-01012-SRB

**DEFENDANT ARPAIO’S NOTICE
RE: TOLLING OF STATUTE OF
LIMITATIONS UNDER 18 U.S.C.
402**

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18 The Court at today’s Status Hearing at 10:00 a.m. asked if Sheriff Joseph M.
19 Arpaio would agree to a tolling of the statute of limitations applicable to an offense under
20 18 U.S.C. § 402 starting today with respect to the conduct alleged in the referral in this
21 proceeding from the Court in *Melendres v. Arpaio*, Docket No. 1. The applicable statute
22 of limitations is 18 U.S.C. § 3285.

23 Sheriff Arpaio’s position is that the statute of limitations applicable to a
24 violation of 18 U.S.C. § 402 as to his alleged conduct in the referral in this proceeding in
25 Docket No.1 has already run.

26 However, Sheriff Arpaio agrees to the Court’s requested tolling of time
27 under the one-year statute of limitations applicable to 18 U.S.C. § 402, found at 18 U.S.C.
28 § 3285, in this proceeding commencing only today, October 11, 2016, and shall remain

1 tolled until such time as the Court issues a determination as to whether the statute of
2 limitations applicable to 18 U.S.C. § 402 has already run as of this date.

3 In agreeing to the tolling of the statute of limitations, Sheriff Arpaio does
4 not waive any of his arguments.

5 RESPECTFULLY SUBMITTED this 11th day of October 2016.

6 JONES, SKELTON & HOCHULI, P.L.C.

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8 By: /s/A. Melvin McDonald

A. Melvin McDonald

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Justin M. Ackerman

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13 **CERTIFICATE OF SERVICE**

14 I hereby certify that on this 11th day of October, 2016, I electronically filed
15 the foregoing filing with the Clerk of Court through the CM/ECF System which will
16 send notification of such filing to the attorneys of record for the defendants.

17 /s/Karen Gawel