

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 09-40077-04-RDR

ANTHONY MAURICE HODGES,

Defendant.

O R D E R

This case was scheduled for trial on October 26, 2010. On October 20, 2010, defendant's attorney sought to withdraw. In her motion, she indicated that the defendant had requested her to do so. The court received a letter from the defendant on October 22, 2010. In that letter, the defendant criticized the efforts of his counsel and requested that the trial be continued so he could file some additional pretrial motions. The court held a hearing on these matters on October 25, 2010.

During the hearing, the defendant requested that the court appoint him new counsel. Thereafter, the court granted the defendant's counsel's motion to withdraw. The court also indicated the trial of the case would be continued so that new counsel could gain familiarity with the case.

The court hereby appoints Jason Hoffman to represent the defendant. The court shall provide new counsel with some additional time to file pretrial motions. The defendant shall have

until November 19, 2010 in which to file pretrial motions. The government shall have until November 26, 2010 in which to file responses. The hearing on all pretrial matters shall be held on December 3, 2010 at 11:00 a.m. The trial shall be continued to December 13, 2010 at 9:30 a.m.

The court finds that the period of delay resulting from the additional time granted shall be excludable time as provided in 18 U.S.C. § 3161(h)(7) because the ends of justice served by the granting of this motion outweigh the best interest of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED that the motion of defendant's counsel to withdraw (Doc. # 186) be hereby granted. Ms. Dionne Scherff is hereby allowed to withdraw as counsel for the defendant.

IT IS FURTHER ORDERED that Jason Hoffman be hereby appointed to represent the defendant. The defendant shall have until November 19, 2010 in which to file pretrial motions. The government shall have until November 26, 2010 in which to file responses. The hearing on pretrial motions shall be held on December 3, 2010 at 11:00 a.m. The trial shall be continued to December 13, 2010 at 9:30 a.m. The period of delay resulting from this extension shall be excludable under 18 U.S.C. § 3161(h)(7).

IT IS SO ORDERED.

Dated this 27th day of October, 2010 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge