

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
vs.)	Case No. 10-40032-01-RDR
)	
LUCIANO ARREOLA,)	
)	
Defendant.)	
)	

ORDER

NOW on this 26th day of October, 2010, the above-entitled matter comes before the Court upon the motion of counsel for the accused for an order granting additional time of one (1) week to file motions herein.

The Court finds that defense counsel has not had sufficient time to prepare motions in the instant case because she had been preparing for trial in the case of *United States v. Meade*, Case No. 10-40067-01-JAR, until she was allowed to withdraw from the case on October 13, 2010. Defense counsel was then out of the office on October 21 and 22, 2010, for a statewide staff meeting of the Federal Public Defender's Office, and is now involved in the research and preparation of an appellate brief in the case of *United States v. Osibisa McBride*, Appeal No. 10-3206. A failure to grant the extension would result in a miscarriage of justice and deny the defendant due process.

The Court, after reviewing the motion and being fully advised in the premises finds that there exists good cause for the motion, and that the motion should therefore be sustained.

IT IS THEREFORE ORDERED that the accused have additional time up to and including November 2, 2010 to file motions in the above-entitled action, and the government shall have until November 10, 2010 to file responses. The motions hearing is rescheduled to November 18, 2010 at 10:00 a.m. The additional time requested will not prejudice the parties herein. Such additional time outweighs the best interests of the public and the defendant in a speedy trial, as set out in 18 U.S.C. § 3161(h)(1)(7) .

s/Richard D. Rogers
United States District Judge