

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

Case No. 10-40114-02-RDR

JOHNNY RODRIGUEZ,
Defendant.

ORDER GRANTING ADDITIONAL TIME

This matter is before the Court on the motion of Defendant for extension of time to file pre-trial motions.

The Court finds that the facts submitted in Defendant's motion shows the end of justice outweigh the best interest of the public and the Defendant in a speedy trial and that an extension of time to file pre-trial motions is necessary; therefore, the Defendant's motion should be granted and any delay resulting from this continuance shall be deemed excludable time under provisions of the Speedy Trial Act, 18 U.S.C. Section 3616(h)(7), in that the ends of justice served by granting this extension of time outweigh the best interests of the public and defendant in a speedy trial.

IT IS THEREFORE BY THE COURT ORDERED that the motion of Defendant, Johnny Rodriguez, for additional time to file pre-trial motions is hereby granted. The time for filing pre-trial motions shall be reset to the 11th day of February, 2011. The time to respond to pretrial motions shall be reset to February 18, 2011. The pre-trial motion hearing currently scheduled for January 7, 2011 at 11:00 a.m. shall be and is hereby reset for hearing on the 25th day of February, 2011 at 9:30 a.m. Any delay resulting from this continuance shall be deemed excludable time under provisions of the Speedy Trial Act, 18 U.S.C. Section 3161(h)(7), in that the ends of justice served by granting this continuance outweigh the best interests of the public and Defendant in a speedy trial.

Dated this 15th day of December, 2010 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge

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