

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40044-09-RDR

ALBERTO VERASA-BARRON,

Defendant.

O R D E R

This case is before the court upon defendant's unopposed motion for additional time to file pretrial motions. Defendant has been out of the district for several weeks and has been unavailable for consultation with his attorney. Defendant is now back in the district but the deadline for filing motions is May 30, 2012. So, defense counsel is asking for an additional 30 days so that he may communicate effectively with defendant, evaluate the current situation in this case, and determine whether and how to proceed with pretrial motions.

The court is convinced that the time requested is necessary for defense counsel to effectively represent his client. The court shall grant defense counsel time until June 21, 2012 to file motions. The government shall have time until June 29, 2012 to respond to the motions. A hearing, if necessary, upon the motions shall be set for July 10, 2012 at 10:00 a.m.

The court believes this extension of time is in the interests

of justice after considering the factors contemplated in 18 U.S.C. § 3161(h). Given the exercise of due diligence, defense counsel needs additional time to communicate with his client and evaluate whether and how to proceed with pretrial motions. Therefore, the extension of time is considered excludable time for the purposes of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7).

IT IS SO ORDERED.

Dated this 30th day of May, 2012 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge