

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40044-11-RDR

ARNULFO PRADO-CERVANTEZ,
et al.,

Defendants.

O R D E R

This case is before the court upon defendant Prado-Cervantez' motion to continue the trial currently set for September 18, 2012. There has been no opposition filed to this motion.

This is a complex case involving a large volume of discovery. There are fifteen defendants who have made appearances in this case. There are two defendants who share the September 18, 2012 trial setting with defendant. These three defendants are detained pending trial and are not a threat to the community.

Defense counsel was appointed to represent defendant on June 15, 2012. Defendant Prado-Cervantez is Spanish-speaking, and his counsel is not. His counsel has his office some hours away from Prado-Cervantez' place of detention. Because of the great amount of discovery which requires review, defense counsel asks for a 60-day continuance of the trial setting.

The court has reviewed the Speedy Trial Act factors which must be considered in previous orders. E.g., Doc. No. 59. In the

court's opinion, the amount of discovery in this matter and the other factors which extend the time needed to prepare a defense and communicate with the defendant, necessitate a continuance so that counsel may adequately represent the defendant. Accordingly, the court shall grant the motion for continuance and set the trial in this case as to defendants Quesada, Verasa-Barron, and Prado-Cervantez for November 13, 2012 at 9:30 a.m.

The extension of time granted in this order is in the interests of justice and shall be considered excludable time for the purposes of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7).

IT IS SO ORDERED.

Dated this 7th day of August, 2012 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge