

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**Case No. 11-40046-01-RDR**

JAMES JUSTIN WOODS,

Defendant.

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**O R D E R**

This case is before the court upon defendant's unopposed motion for a continuance of the trial currently scheduled for October 2, 2012. Counsel for defendant states that he requires more time to prepare the case for trial so that his client may be afforded due process. He further states that defendant has no objection to the requested continuance.

Upon review, the motion shall be granted and the trial of this case shall be continued to November 13, 2012 at 9:30 a.m. This case has been designated a complex case. There is a large amount of discovery to review. Counsel must also consider the disposition of other defendants in this case and how that may impact the discovery record and trial of the case. Defense counsel has not represented defendant from the beginning of the case so he has had less time to prepare for the matter. Because defendant is incarcerated, there are some obstacles to consultation. Defendant is not a threat to the public during the pendency of this case.

After reviewing the relevant factors set out in 18 U.S.C. § 3161(h)(7), the court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial. Therefore, the continuance granted by this order shall be considered excludable time for the purposes of the Speedy Trial Act.

**IT IS SO ORDERED.**

Dated this 27<sup>th</sup> day of September, 2012 at Topeka, Kansas.

s/Richard D. Rogers  
United States District Judge