

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40052-01-RDR

TEODORO VASQUEZ-GIL,

Defendant.

O R D E R

This case is before the court upon defendant's unopposed motion for an extension of time to file pretrial motions and for leave to file the motion out of time. The deadline for filing pretrial motions was July 20, 2011. Defense counsel states that his time has been consumed with preparation for three trials, one of which was in a case designated as complex. Defense counsel further notes that an extensive amount of discovery has been provided to him in relation to this case.

Upon review, the court shall grant the motion. The court finds that denial of the motion may deprive counsel and defendant the time necessary to adequately assess the discovery provided and the need to file pretrial motions, taking into account the exercise of due diligence. It is not clear to the court that this case is unusual and complex, although the investigation of the case is related to other cases which have been designated as complex. However, the court is convinced that granting the motion is

necessary to provide defense counsel adequate time to effectively represent his client. Defendant is detained pending trial and is not a threat to the public.

After balancing the interests of the public and the defendant in a speedy trial with the interests of justice, the court finds that defendant's motion should be granted. The new deadline for pretrial motions shall be September 1, 2011. The government shall respond to any motions filed by September 9, 2011. A hearing upon pretrial motions shall be scheduled for September 15, 2011 at 10:00 a.m. The extension of time granted by this order 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 27th day of July, 2011 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge