

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

**Case No. 11-40057-01-RDR**

MARCOS FIDEL MOJICA-CRUZ,

Defendant.

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**O R D E R**

On February 23, 2012, the court held a hearing on defendant's pro se motion to terminate the representation of his appointed counsel, Sonya Strickland. After hearing from the parties, the court determined that a complete breakdown in communication between Ms. Strickland and the defendant had occurred. Accordingly, the court allowed Ms. Strickland to withdraw from this case.

The court shall now appoint James Spies to represent the defendant. The court shall extend the previously scheduled deadlines to allow new counsel to gain familiarity with the case. The defendant shall have until March 26, 2012 in which to file pretrial motions. The government shall have until April 5, 2012 in which to file responses. The hearing on all pretrial matters shall be held on April 13, 2012 at 10:00 a.m. The trial of this case shall be continued to a date to be determined.

The court finds that the period of delay resulting from the additional time granted shall be excludable time as provided in 18

U.S.C. § 3161(h)(7) because the ends of justice served by the granting of this motion outweigh the best interest of the public and the defendant in a speedy trial.

**IT IS THEREFORE ORDERED** that Sonya Strickland be allowed to withdraw from this case with the thanks of the court.

**IT IS FURTHER ORDERED** that James Spies is hereby appointed to represent the defendant. The defendant shall have until March 26, 2012 in which to file pretrial motions. The government shall have until April 5, 2012 in which to file responses. The hearing on pretrial motions shall be held on April 13, 2012 at 10:00 a.m. The trial of this case shall be continued to a date to be determined. The period of delay resulting from this extension shall be excludable under 18 U.S.C. § 3161(h)(7).

**IT IS SO ORDERED.**

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

s/Richard D. Rogers  
United States District Judge