

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40084-01-RDR

ALFREDO SALAZAR,

Defendant.

O R D E R

This case is before the court upon defendant's unopposed motion for a continuance of a change of plea hearing currently scheduled for July 24, 2012. Doc. No. 21. Defendant is detained pending further proceedings in this case. This case has been continued on previous occasions because of defense counsel's litigation schedule. The current motion for continuance indicates that defense counsel will be out of the country from July 15, 2012 to August 1, 2012.

The court notes that a prior motion for continuance stated that defendant had waived his Speedy Trial Act rights (Doc. No. 13) and that the public's interests to a speedy trial are protected to some degree by defendant's incarceration. With these considerations in mind and after considering the other factors relevant to a Speedy Trial Act analysis, the court shall grant the requested continuance and schedule a guilty plea in this matter for September 20, 2012 at 10:30 a.m. The court finds

that the continuance requested is in the interests of justice which outweigh the interests of the public and the defendant in a speedy trial. Therefore, the continuance requested constitutes excludable time under 18 U.S.C. § 3161(h)(7).

The court will be most reluctant to grant another continuance of this matter.

IT IS SO ORDERED.

Dated, this 25th day of June, 2012 in Topeka, Kansas.

s/Richard D. Rogers
United States District Judge