

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 11-40099-01-RDR
	)	
DONALD SUDDUTH,	)	
Defendant.	)	
_____	)	

**ORDER**

**NOW** on this 28<sup>th</sup> day of November, 2011, the above-entitled matter comes before the Court upon the motion of counsel for the accused for an order granting additional time of two (2) weeks to file motions. The Court has reviewed the motion and is fully advised of the premises.

The Court further finds that the reasons set forth in the motion justify a delay, and that the additional time granted pursuant to this Order shall be excludable time as provided for in 18 U.S.C. 3161(h)(7). See *United States v. Toombs*, —F.3d—, 2009 WL 2357228 (10<sup>th</sup> Cir. 2009).

**IT IS THEREFORE ORDERED** that the accused shall have additional time up to and including December 13, 2011 to file motions in the above-entitled action, and the government shall have until December 23, 2011 to file responses. The hearing on said motions shall be rescheduled for January 6, 2012 at 10:30 a.m. The period of delay resulting from such continuance shall be excludable time as provided for by the Speedy Trial Act, 18 U.S.C. 3161(h)(7).

s/Richard D. Rogers  
United States District Judge