

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,)	
Plaintiff,)	
)	
vs.)	Case No. 11-40100-01-RDR
)	
ROBERT E. WAGER, JR.,)	
Defendant.)	
_____)	

ORDER

NOW on this 21st day of November, 2011, the above-entitled matter comes before the Court upon the motion of counsel for the accused, Robert E. Wager, Jr., for an order granting thirty (30) days' additional time to file motions herein. The Court, after reviewing the motion and being fully advised in the premises finds that there exists good cause for the motion, and that the motion should therefore be sustained.

The Court finds that additional time is needed because defense counsel is still investigating this incident and researching bases for possible motions.

The Court further finds that the prosecutor has no objection to the motion.

The Court further finds that failure to grant the extension would result in a miscarriage of justice and deny the defendant due process.

The Court finds that the period of delay resulting from the additional time granted pursuant to this Order shall be excludable time as provided for in 18 U.S.C. 3161(h)(7) in that the ends of justice served by the granting of such motion outweigh the best interest of the public and the defendant in a speedy trial.

IT IS THEREFORE ORDERED that the accused, Robert E. Wager, Jr., shall have thirty (30) days' additional time up to and including December 15, 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 is hereby rescheduled to January 5, 2012 at 11:00 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