

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 12-40004-01-RDR

CHAD RANDALL ANDERSON,

Defendant.

O R D E R

This case is before the court upon defendant's second motion to extend the deadline for filing pretrial motions. Defendant's motion indicates that defense counsel is contemplating filing a motion to suppress, but needs the government to produce an affidavit in support of the search warrant for defendant's residence and the search warrant return documentation. Defendant's motion is unopposed.

The court reviewed the factors relevant to Speedy Trial Act analysis in a previous order. The court will not repeat that discussion here. The requested extension of time appears necessary for defense counsel to evaluate whether and how to proceed with a motion to suppress taking into account the exercise of due diligence. The court believes that the requested extension of time is in the interests of the public and the parties because it may save time and money and facilitate a fair, just and efficient resolution of this matter.

In sum, 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).

Defendant's motion shall be granted and the deadline for filing pretrial motions shall be continued to April 16, 2012. Responses to pretrial motions shall be due on April 23, 2012. A hearing upon pretrial motions shall be set for May 2, 2012 at 10:00 a.m.

IT IS SO ORDERED.

Dated this 20th day of March, 2012 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge