

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No. 12-40013-01-RDR
)	
JESUS SOTELO-LOPEZ,)	
)	
Defendants.)	

**ORDER TO EXTEND RESPONSE DEADLINE
AND CONTINUE MOTION HEARING**

The matter comes before the court on the motion of the government (Doc. #14) to extend the response deadline in this case from from March 16, 2012 until and including March 26, 2012, and to continue the Motions Hearing from March 29, 2012 at 10:30 a.m. to a date to be determined by the Court.

In support of its motion, the government states that:

1. The government's responses to the defendant's pretrial motions are currently due March 16, 2012 with a hearing on all pretrial motions currently set on March 29, 2012 at 10:30 a.m.
2. No prior extensions of the motion response deadline have been requested.
3. The defendant has filed a motion to suppress (Doc. 12). Counsel for the government is in the process of preparing a response; however, owing to conflicting matters, including a lengthy grand jury session on March 7, 2012 and

numerous hearings on unrelated matters, counsel has not yet been able to do so.

4. Accordingly, the government requests additional time, until and including March 26, 2012 to complete and file its response, and that the Court continue the pretrial motions hearing if and to the extent it determines to be necessary.

5. Counsel for the defendant has been contacted with respect to the instant motion and indicated that the defendant has no objection to it being granted.

The Court finds that the government's request is a reasonable one and should be granted.

The Court further finds and orders for the reasons set forth in the government's motion that the period of trial delay resulting from the continuance is excludable time, as provided in 18 U.S.C. § 3161(h)(1)(D), in that it is "delay resulting from. . .[a] pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion," and 18 U.S.C. § 3161(h)(7)(A), in that the ends of justice served by the granting of such continuance outweigh the best interest of the public and the defendants in a speedy trial.

IT IS THEREFORE ORDERED that the government's motion (Doc. #14) is hereby GRANTED, and the response deadline is hereby extended until and including March 26, 2012.

IT IS FURTHER ORDERED that the motion hearing in this matter is hereby continued to April 9, 2012 at 9:30 a.m.

IT IS SO ORDERED.

s/Richard D. Rogers
United States District Judge