

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 12-40021-RDR

CHARLES E. SHAW,

Defendant.

ORDER

The defendant, Charles E. Shaw, has filed a request for additional time within which to file motions, filed 3/26/12 in the above-entitled matter. Defendant requests an extension for thirty (30) days. The government has no objection.

Defendant is charged with serious crimes. Three separate packets of discovery material have been received by defense counsel. Counsel and defendant have been conferring and reviewing discovery on a regular basis. In the event of conviction defendant will be subject to a lengthy sentence.

Counsel has been involved in the winding down of another attorney's extensive legal practice. In the last few days Counsel has been researching and writing a Motion for Rehearing in the case of U.S. V. Moser, 10-3229 due today in the Circuit Court.

Effective representation requires that Counsel be allowed additional time within which to file necessary pretrial motions on behalf of the defendant.

In consideration of the discovery material that needs to be reviewed prior to the filing of pretrial motions and the above circumstances the Court, having been well and duly advised in the premises, finds that the motion filed by the defendant, Charles E. Shaw should be granted in order to allow his

counsel to adequately prepare pretrial motions.

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

IT IS THEREFORE ORDERED that all pretrial motions shall be filed on or before April 16, 2012, and responses are due April 26, 2012. The hearing on pretrial motions will be held on May 4, 2012 at 10:00 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. Sec. 3161(h)(7).

Dated this 29th day of March, 2012 at Topeka, Kansas.

Richard D. Rogers
United States District Judge