

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 12-40023-01-RDR

SHANE WILLIAM DILLARD,

Defendant.

ORDER

NOW on this 14th day of June, 2012, the above-entitled matter comes before the Court on the Motion of counsel for the accused for an order granting thirty (30) days additional time to file motions herein. The Court, after reviewing the motion and being duly 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 counsel for the accused is just recently appointed as successor counsel. This is the first motion for continuance and additional time to file motions filed by his new counsel, although other similar motions have been previously made by his Counsel.

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

The Court further finds that due diligence has been exercised by defense counsel, and failure to grant the motion would deny counsel for the defendant the reasonable time necessary for effective preparation or resolution of all pending matters in both cases.

The Court further 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)(A) 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 the defendant shall have until July 18, 2012 to file motions herein, and the government shall have until July 30, 2012 to file responses. The hearing on said motions is hereby rescheduled to August 9, 2012 at 9:30 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)(A).

s/Richard D. Rogers
United States District Judge