

**In the United States District Court
for the District of Kansas**

Case No. 5:20-cr-40013-TC

UNITED STATES OF AMERICA,

Plaintiff

v.

MATTHEW JOSEPH GAMMILL,

Defendant

ORDER

Now on this 15th day of January, 2021, the above matter comes before the court on Defendant's Unopposed Motion to Continue Status Conference (Doc. 24) which is currently set for January 19, 2021. Counsel requests a continuance for an additional 30 days. The government does not object to the defendant's request.

Having reviewed the motion, and being familiar with the case history, this court finds that additional time is necessary for Defendant's counsel to review discovery and discuss with his client.

For these reasons, this court finds that additional time is necessary for counsel's effective preparation, taking into account counsel's exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(iv). This court further finds that the period of delay resulting from this continuance shall be excluded in computing time under the Speedy Trial Act, because the ends of justice served by granting this continuance outweigh the best interest of the public and the defendant in a speedy trial. *See* 18 U.S.C. § 3161(h)(7). The court bases this finding on facts and reasons asserted in the motion (Doc. 24) and it adopts those statements by this reference.

THE COURT THEREFORE ORDERS that defendant's Motion to Continue (Doc. 24) is granted.

THE COURT FURTHER ORDERS that the Status Conference is continued from **January 19, 2021 until February 23, 2021, at 9:00 a.m. in Topeka, Courtroom 401.**

IT IS FURTHER ORDERED THAT the period of delay resulting from such continuance, **January 19, 2021 through February 23, 2021,** is excludable time as provided for by the Speedy Trial Act, 18 U.S.C. § 3161(h)(7).

If any party objects to the court’s Speedy Trial Act findings or its calculation of excludable time, as stated in this Order, it must file, within 10 days of the date of this Order, a motion asking the court to conduct a hearing to consider any such objection.

IT IS SO ORDERED.

Date: January 15, 2021

 s/ Toby Crouse
Toby Crouse
United States District Judge