

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	11-00046-08-CR-W-ODS
TIM MICHAEL WILSON,)	
)	
Defendants.)	

ORDER CONTINUING CURRENT TRIAL SETTING

Before the court is a motion to continue filed by defendant Tim Wilson. In support of his motion, defendant states in part as follows:

1. Defendant was set for trial on the February 13, 2012 docket.
2. Defendant had been set for change of plea on February 10, 2012. Defendant was hospitalized that day for anxiety and other symptoms.
3. All Co-defendants have now pled guilty in this matter. Defendant intends to fulfill obligation associated with his plea agreement and still intends for this matter to be set for change of plea in the near future. Defendant has been on bond with no violations since his arrest on this Indictment.
4. Counsel for defendant has spoken with Assistant United States Attorney, Bruce Rhoades, who has no objection to this continuance request.

The Speedy Trial Act of 1974, as amended, mandates the commencement of the trial of a defendant within 70 days from the defendant's first appearance before a judicial officer of the court in which the charge is pending. In computing the 70-day time period, the periods of delay set forth in 18 U.S.C. § 3161(h) are to be excluded. Any period of delay resulting from a continuance granted at the request of a defendant is excludable if the court finds the ends of justice served by taking such action outweigh the best interest of the public and the defendant in a speedy trial, provided the court sets forth the reason for such finding.

In light of the circumstances described above, I find that the ends of justice served by removing this criminal action from the joint criminal jury trial docket which will commence

February 13, 2012, and continuing the trial until the joint criminal jury trial docket which will commence April 23, 2012, outweigh the best interest of the public and the defendant in a speedy trial.

In accordance with § 3161(h)(7)(C), congestion of the court's calendar was not considered in deciding to remove this case from the joint criminal jury trial docket which will commence February 13, 2012.

In light of the circumstances described above, it is

ORDERED that this criminal action is removed from the joint criminal jury trial docket which will commence February 13, 2012. It is further

ORDERED that this criminal action is set for trial on the joint criminal jury trial docket which will commence April 23, 2012. It is further

ORDERED that, pursuant to 18 U.S.C. § 3161(h)(7), the time between the date of this order and April 23, 2012, shall be excluded in computing the time within which the trial of this criminal action must commence.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
February 14, 2012