

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

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|---------------------------|---|-----------------------------------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Cause No. 4:10 cr 00162 FJG [REL] |
| |) | |
| BRICE C. HALE, |) | |
| |) | |
| Defendant. |) | |

DEFENDANT HALE'S MOTION TO CONTINUE TRIAL DOCKET SETTING

COMES NOW Defendant BRICE C. HALE, by his attorney Nick A. Zotos, and states to
This Court:

1. That Defendant Hale is one of 23 defendants charged in a Superseding Indictment which alleges a single conspiracy violation of the Controlled Substance Act against him. Defendant Hale was released upon a Fifty Thousand (\$50,000.00) Dollar bond secured by real property by U.S. Magistrate Frederick R. Buckles of the Eastern District of Missouri on June 11, 2010 and is attentively supervised by the U.S. Pretrial Services Agency of the Eastern District;
2. That the Government has stated that written discovery in this matter is voluminous and is in the process of being reproduced for some availability by defense counsel. The Government has further stated that there are also voluminous Title III recordings;
3. That defense counsel have been communicating with each other regarding a potential trial date convenient to This Court. Defense counsel who have thus far responded have, for the most part, agreed to a February 2011 trial docket date in this matter;
4. That instant counsel and Defendant Hale have NO OBJECTION to a trial docket date in February 2011;

5. That, given the volume of discovery and the number of defendants in this case, counsel is requesting this matter be continued until the February 2011 trial docket so that he has enough time to review the discovery, conduct whatever independent investigations may be necessary, and to prepare, to file, to litigate pretrial motions and to ultimately prepare for trial;

6. That this Motion is made in order to provide instant defense counsel the reasonable time necessary for effective preparation and due consideration as guaranteed under the Sixth Amendment to our U.S. Constitution;

7. That, pursuant to 18 U.S.C. 3161(7)(A), the instant Defendant requests that the Court finds that the ends of justice are served by continuing this matter to the next trial docket and that the reason and purpose for this specific continuance outweighs the best interest of the public and the Defendant in a speedy trial.

WHEREFORE, for the above-stated reasons, Defendant, Brice Hale requests that This Court remove this cause from the August 2010 docket and provide all Defendants and their counsel a continuance to a February 2011 trial docket, and for such other and further relief as This Court may deem meet and proper.

Respectfully submitted,

/s/ Nick A. Zotos

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2010, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon the attorneys of record and mailed to any non-participating attorneys in Electronic Case Filing. /s/Nick A. Zotos