

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	10-00162-01/07-09/16-18/23-CR-
ALFONSO VELO,)	W-FJG
RICARDO NEVAREZ,)	
SHAWN HAMPTON,)	
BRICE HALE,)	
DELBERT ROBERSON,)	
NARICCO SCOTT,)	
CALAH JOHNSON,)	
RAYJOHNSON,)	
JASON CARTER,)	
JUSTIN CAMPBELL,)	
ANTAR ROBERTS,)	
GREGORY YOUNG,)	
RONNELL BROWN,)	
MYLIN SMITH,)	
THEODORE WIGGINS,)	
STERLING BYNDOM,)	
MARCUS GAY,)	
KEIYATIE WHITE,)	
DOROTHEA CAIN,)	
ADRIAN BARRETT,)	
and)	
ALEJANDRO HOLGUIN-BONILLA,)	
)	
Defendants.)	

ORDER CONTINUING CURRENT TRIAL SETTING

Before the court are motions to continue filed by defendants Alfonso Velo (document number 185), Brice Hale (document number 191), and Alejandro Holguin-Bonilla (document number 190). In support of the motions, defendants state that the 23-defendant, 17-count case includes voluminous discovery which has not been provided to defense counsel and wiretap evidence with hundreds of hours of recorded

conversations. On July 7, 2010, Magistrate Judge Robert Larsen held a scheduling conference. All counsel agreed that the case should be continued to the February 14, 2011, criminal trial docket.

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 August 16, 2010, and continuing the trial until the joint criminal jury trial docket which will commence February 14, 2011, outweigh the best interest of the public and the defendants 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 August 16, 2010.

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 August 16, 2010. It is further

ORDERED that this criminal action is set for trial on the joint criminal jury trial

docket which will commence February 14, 2011. It is further

ORDERED that, pursuant to 18 U.S.C. § 3161(h)(7), the time between the date of this order and February 14, 2011, shall be excluded in computing the time within which the trial of this criminal action must commence.

/s/Fernando J. Gaitan, Jr.
Fernando J. Gaitan, Jr.
Chief United States District Judge

Kansas City, Missouri
July 8, 2010