

THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

CASE NO:

UNITED STATES OF AMERICA

v

}
}
} DEFENDANT'S
} MOTION TO CONTINUE
} (18 USC 3161(h)(8))

Pursuant to 18 USC 3161 (h)(8) and to Local Rule 4.11, the Defendant respectfully requests that the above-captioned case be continued from the present docket. In support of this motion, the Defendant sets forth the following:

1. _____

2. This is the 1st continuance filed by the Defendant in the present case. The Special Assistant United States Attorney ~~does not~~ does object to this motion.

3. I understand that if this motion is granted, **I must next appear in court** at 8:00 a.m. on _____ court docket and that failure to appear may result in the issuance of an arrest warrant.

Submitted on:

X _____
Defendant or Attorney for the Defendant

INITIAL DOCKET:

The court finds that the ends of justice served by the granting of such continuance outweigh the best interest of the public in a speedy trial for the following reason(s):

- Failure to do so would likely result in a **miscarriage of justice.**
 The **unusual nature or complexity of the case** makes it unreasonable to expect the Defendant to adequately prepare for pretrial proceedings or trial within the time limits set forth in 18 USC 3161.
 Failure to do so would deny the Defendant reasonable **time to obtain counsel;**
 Failure to do so would unreasonably deny the Defendant **continuity of counsel;**
 Failure to do so would deny the Defendant the reasonable **time necessary for effective preparation,** taking into account the exercise of due diligence.

Accordingly, the continuance is ALLOWED. The intervening time from _____ to _____ is excluded from speedy trial computation under 18 USC 3161.

Date

UNITED STATES MAGISTRATE JUDGE