

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION

UNITED STATES OF AMERICA

v.

D'ANGELO CALEB PERKINS,

Defendant.

CRIMINAL ACTION NO.
3:22-cr-00004-TES-CHW-3

ORDER GRANTING THE GOVERNMENT'S
UNOPPOSED MOTION FOR CONTINUANCE

Before the Court is the Government's Unopposed Motion for Continuance [Doc. 179]. On June 14, 2023, the Grand Jury returned a four-count Second Superseding Indictment [Doc. 120] against Defendant D'Angelo Caleb Perkins. On August 7, 2023, Defendant Perkins pled not guilty at his arraignment and was released on bond pending trial. [Doc. 135]; [Doc. 136]; [Doc. 138]. The Court has continued this case three times—first on August 30, 2023, then on November 3, 2023, and then on January 16, 2024. [Doc. 145]; [Doc. 161]; [Doc. 168].

In its Motion, the Government states that a “necessary and crucial witness”—FBI DNA Examiner Tiffany Smith—“is required to testify in two other federal trials the week of March 25, 2024, which were scheduled prior to” this trial. [Doc. 179, pp. 2–3, ¶¶ 1–2]. According to the Government, “Tiffany Smith is available to testify the week of April 22, 2024, in Athens, Georgia.” [*Id.* at p. 2]. Defendant does not oppose this Motion.

[*Id.* at p. 2, ¶ 3].

The Court finds that granting the Government's request serves the ends of justice. The Court further finds that the ends of justice served by granting the Government's request outweigh the interests of Defendant and the public in a speedy trial. Failure to grant this continuance would deny the Government the opportunity to call a key witness. *See* [*id.* at p. 1, ¶ 1].

Accordingly, the Court **GRANTS** the Government's Motion [Doc. 179] and **CONTINUES** the trial of this matter until April 22, 2024. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

SO ORDERED, this 29th day of February, 2024.

S/ Tilman E. Self, III

TILMAN E. SELF, III, JUDGE
UNITED STATES DISTRICT COURT