

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

UNITED STATES OF AMERICA	:	
	:	
v.	:	CRIM. NO. 4:22-CR-17-CDL- MSH
	:	
JOSHUIA BROWN	:	
and	:	
JARVIS SMITH,	:	
Defendants	:	
	:	
	:	

ORDER ON DEFENDANT’S UNOPPOSED MOTION FOR CONTINUANCE

Defendants were indicted on August 9, 2022, ECF. No. 1, and arraigned on August 11 and 17, 2022, ECF No.19, 31. The Grand Jury returned a superseding indictment with substantive new charges on May 10, 2023, ECF No. 73; Defendants Brown and Smith were arraigned on May 24, 2023, ECF No. 76, and May 31, 2023, ECF No. 83, respectively. The trial is currently scheduled for July 10, 2023. Defendant Brown requests a continuance, and both Government and Defendant Smith do not oppose. Specifically, the parties will need additional time to effectively prepare, produce and review additional voluminous discovery, and conduct additional investigation and research. Additionally, an essential and material witness for the Government is unavailable; hence, a continuance is necessary to secure his presence.

IT IS HEREBY ORDERED that the above-referenced matter be reset to its previously set trial term, i.e., September 2023 term, and that the Speedy Trial deadline for the trial in this matter imposed by 18 U.S.C. § 3161(c)(1) be extended to that time. The

Court finds that the ends of justice served by granting of this continuance outweigh the best interests of the public and the Defendants in a speedy trial because a failure to grant such continuance could result in a miscarriage of justice and would deny counsel for the Defendant and Government the reasonable time necessary for effective preparation in light of the additional voluminous discovery and unavailability of a material witness. 18 U.S.C. §§ 3161(h)(3)(A) and (7)(A)-(B). The delay occasioned by this continuance shall not be considered in calculating the speedy trial deadline under the Speedy Trial Act.

SO ORDERED, this **8th** day of **June 2023**.

S/Clay D. Land
Clay D. Land, U.S. District Judge