

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

UNITED STATES OF AMERICA,

V.

ARMARD DAVIS,

Defendant.

CASE NO. 5:21-CR-63 (MTT)

ORDER

Defendant Armard Davis, by and through his counsel, has moved to continue this case from the January trial term. Doc. 166. Defendant Davis and his eight co-defendants were indicted on November 16, 2021 and had their arraignments in this Court on December 13, 2021. Docs. 1; 27; 29; 30; 52; 54; 59; 66; 71; 74. The Court, on the government's motion, declared the case complex and entered a scheduling order specially setting the trial for January 17, 2023. Doc. 128. Co-defendant Brittany Smith has been sentenced and a judgment has been entered. Docs. 172; 196. Co-defendants Emanuel Ivey, Joseph Day; Antoine Riley, Latanya Williams, Antonio Raines, Obie Wright, and Desmond Griffin have each entered guilty pleas and are awaiting sentencing. Docs. 139; 145; 174; 175; 176; 188; 193. Defendant Davis, by and through his counsel, now moves the Court to continue this case from the January trial term since his counsel is scheduled for a 3-5 month trial on a multi-defendant RICO case in Fulton County Superior Court, starting January 2023. Doc. 166 at 1. Furthermore, the parties need additional time to attempt resolution through plea negotiations. *Id.* at 2. The government does not oppose the motion. *Id.*

Pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds the ends of justice served by granting this continuance outweigh the best interests of the public and the defendants to a speedy trial. Accordingly, the motion (Doc. 166) is **GRANTED**. The

case is continued from the January term and specially set for the Court's trial term presently scheduled for **July 17, 2023**. The corresponding delay shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161 *et seq.*

The Court amends the Scheduling Order (Doc. 128) as follows:

4/25/2023	Government's expert notices due.
5/9/2023	Rule 404(b) notices due.
5/23/2023	Defense expert notices due.
6/6/2023	Motions in limine due.
6/20/2023	• Proposed voir dire questions due (limited to 20). Counsel are reminded that copies of juror questionnaires are available in the Clerk's Office. It is the responsibility of each attorney to review these questionnaires prior to trial. Voir dire questions may not repeat material contained in the questionnaires. • Requests to Charge due. • Proposed verdict form due. • Motion in limine responses due.
6/23/2023	Voir dire objections due.
7/11/2023	Final pretrial conference.
7/14/2023	• Counsel shall email a proposed exhibit list and a proposed witness list to the courtroom deputy with a copy to opposing counsel at Kim_Tavalero@gamd.uscourts.gov no later than NOON. • Electronic evidence files should be provided to the courtroom deputy no later than NOON. Please review the Court website page regarding courtroom technology http://www.gamd.uscourts.gov/technology, specifically the instructions concerning the Jury Evidence Recording System (JERS).
7/17/2023	Specially Set Trial commences.

SO ORDERED, this 12th day of January, 2023.

S/ Marc T. Treadwell
MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT