

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

<b>UNITED STATES OF AMERICA</b>	:	
	:	
v.	:	
	:	<b>No. 5:23-CR-08-CAR-CHW</b>
<b>EVA REBECCA WELLS AND</b>	:	
<b>BILLY LEE WELLS, JR,</b>	:	
	:	
<b>Defendants.</b>	:	
	:	

**ORDER ON DEFENDANTS’ UNOPPOSED MOTION TO CONTINUE**

Currently before the Court are Defendants Eva Wells’ and Billy Wells’ Unopposed Motion to Continue [Doc. 35] the pretrial conference scheduled for May 9, 2023, and the trial, which is set to begin on June 19, 2023, in Macon, Georgia. On February 14, 2023, the Grand Jury returned multi-defendant, multi-count indictment charging Defendants. The Indictment charged Eva Wells with one count of Conspiracy to Defraud a Financial institution and twenty counts of Bank Fraud, and charged Billy Wells with one count of Conspiracy to Defraud a Financial Institution, fifteen counts of Bank Fraud, and four counts of Making and Subscribing a False Return.

On February 23, 2023, Billy Wells was arrested, appointed counsel, pled not guilty at his arraignment, and was released on an unsecured bond pending trial. On February 23, 2023, Eva Wells was arrested and released on an unsecured bond following her initial appearance. On March 8, 2023, Eva Wells retained counsel and pled not guilty at her

arraignment. This case has once previously continued, and the Government does not oppose Defendants' current request.

In the Motion, Defense Counsel seeks additional time to review discovery, further investigate potential defenses, and engage in plea negotiations. Having considered the matter, the Court finds it serves the ends of justice to grant Defendants' request. The ends of justice served by granting a continuance outweigh the interests of Defendants and the public in a speedy trial. Failure to grant a continuance would deny counsel reasonable time to address these matters and could result in a miscarriage of justice. Thus, Defendants' Unopposed Motion to Continue Trial [Doc. 35] is **GRANTED**, and **IT IS HEREBY ORDERED** that this case be continued until the August 7, 2023 term of Court for the Macon Division. The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, 18 U.S.C. § 3161.

**SO ORDERED**, this 5th day of May, 2023.

s/ C. Ashley Royal  
C. ASHLEY ROYAL, SENIOR JUDGE  
UNITED STATES DISTRICT COURT