

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

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

ORDER ON DEFENDANTS' UNOPPOSED MOTION TO CONTINUE

Currently before the Court are Defendants Eva Wells' and Billy Wells' Unopposed Motion to Continue [Doc. 39] the trial of this case, which is set to begin on September 25, 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 been previously continued, and the Government does not oppose Defendants' current request.

In the Motion, Defense Counsel represents both Defendants are experiencing medical issues which prohibit them from participating in the preparation of their defense. Defendants request a continuance to the December trial term to ensure they have adequate time to receive treatment and recover. 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. 39] is **GRANTED**, and **IT IS HEREBY ORDERED** that this case be continued until the December 4, 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 2nd day of August, 2023.

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