

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

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| UNITED STATES, | : | |
| | : | |
| v. | : | CASE NO.: 7:19-cr-47 (WLS) |
| | : | |
| TONY LEE BAZIN, JR., | : | |
| | : | |
| Defendant. | : | |
| | : | |

ORDER

On June 17, 2022, this Court entered an Order (Doc. 77) granting the Parties’ Seventh Motion to Continue. (Doc. 76.) The reason that this Court granted that continuance is that Defense Counsel has been receiving medical treatment for the past year that would allegedly make preparation for trial impossible. (Docs. 60¹, 67², 72³, 76⁴.) In granting the seventh continuance, this Court noticed the Parties that “no further continuances shall be granted, absent a timely showing of good cause, to prevent manifest injustice for reasons not reasonably foreseeable or avoidable by the moving Party.” (Doc. 77.)

On August 29, 2022, this Court ordered the Parties to confer and inform the Court whether this matter was ready to proceed to trial in November 2022. (Doc. 78.) On September 14, 2022, the Government filed a Joint Response (Doc. 79) informing the Court that this matter was once again not ready to proceed to trial due to Defense Counsel’s medical issues.

¹ On September 22, 2021, Defense Counsel noticed the Court that he was scheduled for a comprehensive eye examination in October 2021 that would make it impossible to prepare for the November 2021 trial term. (Doc. 60.)

² On December 23, 2021, Defense Counsel noticed the Court that he was scheduled an additional comprehensive eye examination on December 28, 2021, and that surgery was tentatively scheduled for January 2022 that would make it impossible to prepare for the February trial term. (Doc. 67.)

³ On March 28, 2022, Defense Counsel noticed the Court that he was unable to prepare for a May 2022 trial term as Defense Counsel was still awaiting final clearance for his eye surgeries. (Doc. 72.)

⁴ On June 16, 2022, Defense Counsel noticed the Court that he was unable to prepare for trial in August 2022 as he had surgeries tentatively scheduled at some unspecified time in the future. (Doc. 76.)

The Parties noted that they anticipated filing a separate joint motion to continue. (*Id.*) To date that separate joint motion to continue has not been filed.

While the Court acknowledges that Defendant is not currently incarcerated and that Defense Counsel has an ongoing serious medical condition, this matter cannot be continued indefinitely. Given that Defense Counsel entered his notice of appearance in this case on June 13, 2021, (Doc. 48) Defense Counsel has had over a year to prepare for trial in this case, even considering his medical condition. In the present case the Court does not believe that a further continuance, would outweigh the best interests of the public in a speedy trial. 18 U.S.C. § 3161. However, the Court shall consider the Parties stated reasons on the record. Accordingly, Defense Counsel is hereby **ORDERED** to file a Motion to Continue, if one is required, by no later than Thursday, September 22, 2022.

SO ORDERED, this 19th day of September 2022.

/s/ W. Louis Sands
W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT