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

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

ORDER

Before the Court is the Parties' Joint Motion for Continuance, filed March 28 28, 2022. (Doc. 72.) Therein, the Parties request the Court continue the trial, currently set to begin on May 9, 2022, and exclude the delay from the Speedy Trial Act clock. (*Id.*) The reason that a continuance is requested is that Defense Counsel is currently receiving medical treatment for his eyes – and is awaiting final clearance for two (2) eye surgeries – that would make it impossible to properly prepare for and conduct a trial in May 2022. (*Id.*)

The Court finds that granting a continuance in this case is necessary for Defense Counsel to prepare for trial. For this reason, the Parties Joint Motion to Continue the trial in this case is **GRANTED**.

The Speedy Trial Act permits a district court to grant a continuance of trial so long as the court makes findings that the ends of justice served by ordering a continuance outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A). Section 3161(h)(7)(B) provides several factors the Court must consider when granting a continuance. *United States v. Ammar*, 842 F.3d 1203, 1206 (11th Cir. 2016). Among those factors are the likelihood that the lack of a continuance will result in a miscarriage of justice and the likelihood that failure to grant a continuance would deprive the defendant continuity of counsel or reasonable time necessary for effective preparation. 18 U.S.C. § 3161(h)(7)(B).

The Court finds that the failure to grant a continuance here would likely result in a miscarriage of justice and deprive counsel of reasonable time necessary for effective preparation. *See* 18 U.S.C. § 3161(h)(7)(B)(i) and (iv). Notably, Defense Counsel needs additional time to prepare for trial considering his upcoming eye surgeries.

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Accordingly, the Parties' Joint Motion for Continuance (Doc. 72) is **GRANTED**. The case is **CONTINUED** to the Valdosta trial term beginning August 2022, unless otherwise ordered by the Court. The Court **ORDERS** that the time from the date of this Order to the conclusion of the August 2022 Trial Term is **EXCLUDED FROM COMPUTATION** under the Speedy Trial Act pursuant to 18 U.S.C. § 3161(h)(7).

SO ORDERED, this 29th day of March 2022.

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