

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

UNITED STATES OF AMERICA

v.

DEVIN DEWAYNE HUNTER,

Defendant.

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CASE NO: 7:22-cr-34 (WLS)

ORDER

Previously, the Court provided the Parties with notice that this case was scheduled for pretrial conference on Tuesday, May 16, 2023, at 3:00 p.m. and for trial on Monday, June 5, 2023 (Doc. 16). In the event the case is not ready for trial, the Parties were ordered to file a motion to continue at least two days prior to the date of the noticed pretrial conference. (*Id.*) The Defendant filed a timely Unopposed Motion to Continue Trial in the Interest of Justice (Doc. 19) (“Motion”) stating that the Federal Defenders of the Middle District of Georgia, Inc. was appointed to represent Defendant on April 6, 2023, and Defendant’s first appearance occurred on April 6, 2023. Defense Counsel received discovery on April 18, 2023, but has not had the opportunity to review the discovery with Defendant nor to investigate the matters discussed with Defendant to determine the next steps in this case. Defense Counsel represents that she conferred with Government’s counsel, Assistant United States Attorney, Sonja Profit, and she does not oppose the Motion. Defense Counsel further states that the ends of justice served by granting the continuance outweigh the best interests of the public and the United States Attorney’s Office¹ in a speedy trial.

Based on the Defendant’s stated reasons, the Court finds that a continuance is required for Defense Counsel to effectively prepare for trial. The Court further finds the ends of justice served by granting such a continuance outweigh the best interests of the public and the

¹ In order to satisfy 18 U.S.C. § 3161(h)(7)(A)-(B), the Court assumes Defendant’s Counsel intended to state that the ends of justice served by granting the continuance outweigh the best interests of the public and the *Defendant* in a speedy trial, and the Court so finds based on the statements in the Motion.

Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). Therefore, the Motion (Doc. 19) is **GRANTED**. The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division August 2023 term and its conclusion, or as may otherwise be ordered by the Court.

Furthermore, it is **ORDERED** that the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, be **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(7) because the Court has continued the trial in this case and finds that the failure to grant a continuance (a) would likely result in a miscarriage of justice, and (b) would deny Defense Counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

The May 16, 2023 pretrial conference is **CANCELLED**.

SO ORDERED, this 25th day of April 2023.

/s/ W. Louis Sands

W. LOUIS SANDS, SR. JUDGE
UNITED STATES DISTRICT COURT