

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

UNITED STATES OF AMERICA,

v.

LARONCE HOWELL,

Defendant.

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CASE NO: 7:22-CR-55-01 WLS

ORDER

On June 12, 2023, the Government filed a Motion in Limine to Preclude Mistake-of-Age Defense at Trial (Doc. 82) (“Motion in Limine”). Defendant Laronce Howell was ordered to file any response to the Motion in Limine on or before July 3, 2023. (Doc. 82). No response was filed and the matter is set for evidentiary hearing on August 22, 2023. (Doc. 91.)

Before the Court is Defendant Laronce Howell’s motion for permission to file a late response (Doc. 95) (“Defendant’s Motion”) objecting to the Motion in Limine. A copy of the proposed response is attached to Defendant’s Motion as Exhibit 1. Defendant’s Motion was filed at 3:28 p.m. on Friday, August 18, 2023. Mr. Howell’s Counsel states that due to a mistake on Counsel’s part and although the response had been prepared prior to July 3, 2023, it was not timely filed in this case. Counsel states he did not notice this error until he began preparing for the hearing scheduled for August 22, 2023. Counsel acknowledges that his error and Defendant’s Motion create additional work for the Court, the Court’s staff, and the Government. However, Counsel argues constitutional rights are at stake and so Counsel believes the issues must be raised. Counsel further states that he does not object to a continuance of the August 22, 2023 hearing to allow the Government to review and respond, and for the Court to review and prepare for the hearing.

This Court finds that it would be unjust to deny the Defendant Laronce Howell the opportunity to raise these issues due to Defense Counsel’s error. For this reason, Defendant’s Motion (Doc. 95) is **GRANTED**. Defendant shall immediately file his proposed Response In Objection to Government’s Motion in Limine as to Laronce Howell.

The August 22, 2023 evidentiary hearing on the Motion in Limine will remain on the Court's calendar as scheduled.

SO ORDERED, this 21st day of August 2023.

/s/ W. Louis Sands

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