

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

UNITED STATES OF AMERICA,

v.

WILLIAM WILCOX BINNER, III,

Defendant.

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CASE NO: 7:23-CR-40-WLS-TQL-1

ORDER

Before the Court is the Defendant's Second Motion to Continue Trial (Doc. 49) ("Motion"). Therein, Defense Counsel requests a continuance of the trial of this matter from the Valdosta November 2023 trial term to the next Valdosta trial term. Defense Counsel requests the continuance due to recent and unforeseen exacerbation of certain health conditions from which Defense Counsel suffers as well as the resulting need to seek related medical treatment. Defense Counsel needs additional time to complete his investigation and preparation for trial in the above captioned case. Defense Counsel states that the failure to grant a continuance would deny him the reasonable time necessary for effective preparation and resolution of legal issues, taking into account the exercise of due diligence. Defendant requests that the period of this delay be excluded in computing the time within which the trial must commence under the Speedy Trial Act.

Based on the Defendant's stated reasons, the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the Defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). Therefore, the Motion (Doc. 49) is **GRANTED**.

The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division February 2024 trial 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, is **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).

SO ORDERED, this 15th day of September 2023.

/s/ W. Louis Sands

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