

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

UNITED STATES OF AMERICA,	:	
	:	
v.	:	
	:	Case No.: 7:23-CR-00052 (WLS-TQL-1)
	:	
RODOLFO PULIDO-UTRERA,	:	
	:	
	:	
Defendant.	:	
_____	:	

ORDER

Before the Court is an Unopposed Motion to Continue in the Interest of Justice (Doc. 18) submitted by Defendant on June 1, 2023. Therein, both Parties requests the Court to continue both the pretrial conference that is currently set for June 14, 2023, and the case to the next available Valdosta trial term. (*Id.*) Defense Counsel states that more time is needed because the Government's discovery was received on May 31, 2023, and thus, has not had the opportunity to review it with Defendant yet. (*Id.*) Defense Counsel further notes that the Government does not oppose the instant Motion. (*Id.*)

Based on the Parties' stated reasons, the Court finds that the ends of justice served by granting such 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 Unopposed Motion to Continue (Doc. 18) is **GRANTED**. The Court hereby **ORDERS** that the trial in the above-referenced matter be **CONTINUED** to the Valdosta Division November 2023 trial term¹ beginning on November 6, 2023, and its conclusion, or as may otherwise be ordered by the Court.

¹ The Court notes that the next term of Court for the Valdosta Division is August 2023. However, because Defense Counsel did not receive discovery until May 31, 2023, the Court finds it unlikely that the Parties would be prepared for a pretrial conference in four weeks or for trial in August 2023. If Defendant desires the trial to be rescheduled for the August 2023 term of Court, Defendant must immediately file the appropriate motion with 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 would likely result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(B)(i).

SO ORDERED, this 2nd day of March 2023.

/s/ W. Louis Sands

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