

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

UNITED STATES OF AMERICA,

v.

**CLEMSON MAURICE GRAHAM and
JESSIE JAMES GRAHAM,**

Defendants.

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**CASE NO:
7:24-cr-26-WLS-ALS**

ORDER

The hearing scheduled for Tuesday, May 27, 2025, on Defendant Clemson Maurice Graham's ("Clemson Graham") Motion to Suppress (Doc. 55) ("Motion to Suppress") was continued at the Government's request and without objection by Clemson Graham. By separate notice, the hearing on the Motion to Suppress has been continued to June 25, 2025.

Before the Court is the Joint Motion for Continuance in the Interest of Justice (Doc. 60) ("Motion to Continue") filed by counsel on behalf of Clemson Graham and by counsel for the Government. Therein, due to the continuance of the hearing on the Motion to Suppress, Defendant Clemson Graham and the Government request the trial of this matter be continued from the Court's Valdosta Division August 2025 trial term to the next available trial term. Counsel for the parties submit that the period of delay should be excludable under the provisions of the Speedy Trial Act, 18 U.S.C. §§ 3161, *et seq.*, through any trial date that may be set upon allowance of this motion, and 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

The Court notes that although co-defendant Jessie James Graham ("Jessie Graham") is not a party to the Motion to Suppress nor to the Motion to Continue, he is charged as a co-

¹ To satisfy 18 U.S.C. § 3161(h)(7)(A)-(B), the Court assumes 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 to Continue.

defendant with Clemson Graham, and review of the docket reflects that no motion for severance has been filed or granted in this case.

Based on the foregoing, the Court finds that the ends of justice will be served by continuing the trial of this matter and that such continuance outweighs the best interests of the public and the Defendants Clemson Graham and Jessie Graham in a speedy trial. 18 U.S.C. § 3161(h)(7)(A)-(B). The Court further finds with respect to Co-Defendant Jessie Graham that a delay from the Valdosta Division August 2025 trial term to the next available trial term is reasonable where Co-Defendant Jessie Graham is joined for trial with Co-Defendant Clemson Graham, as to whom the time for trial has not run and no motion for severance has been granted. *See* 18 U.S.C. § 3161(h)(6).

Accordingly, the Court hereby **ORDERS** that:

1. The trial of Clemson Graham and Jessie Graham is **CONTINUED** to the Valdosta Division **November 2025** trial term and its conclusion or as may otherwise be ordered by the Court.

2. The time lost under the Speedy Trial Act, 18 U.S.C. § 3161, is **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(1)(D), (H) for any delay resulting from the Motion to Suppress, starting with the date of filing such motion through the conclusion of the hearing on, or other prompt disposition of such motion and/or for a period of no more than thirty (30) days after the Motion to Suppress is actually under advisement by the Court.

3. Further, 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/or (b) would deny the Parties continuity of counsel, or would deny counsel for the Parties the reasonable time necessary, in the exercise of due diligence, to consider the effect of the Court's decision on the Motion to Suppress on their respective client and to engage in further negotiations, if desired, or effectively prepare for trial. *See* 18 U.S.C. § 3161(h)(7)(B)(i), (iv).

4. Further, the time lost under the Speedy Trial Act, 18 U.S.C. § 3161, is **EXCLUDED** pursuant to 18 U.S.C. § 3161(h)(6) because the delay is reasonable, and Co-

Defendant Jessie Graham is joined for trial with Co-Defendant Clemson Graham as to whom the time for trial has not run and no motion for severance has been filed or granted.

SO ORDERED, this 29th day of May 2025.

/s/ W. Louis Sands

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