

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

06-CR-0126-C-05

DARIOUS T. KELLY,

Defendant.

On February 6, 2007, this court held a telephonic status conference. Defendant Darius Kelly did not participate personally, but was represented by his attorney, David Mandell. The government was represented by Assistant United States Attorney Timothy O'Shea.

The parties agreed to a March 26, 2007 trial date, although Attorney Mandell may seek relief depending on how his state court docket shakes out in the next several weeks. The parties are predicting a two to three-day trial. The final hearing before Judge Crabb will be March 15, 2007 at 3:00 p.m. The parties are diligently crafting a plea agreement that may resolve this case, but because it involves Illinois state courts, it is taking more time to complete than the parties would have predicted.

Although the speedy trial clock appears to be tolled, Kelly, by counsel, waived any claim under the Speedy Trial Act in order to continue negotiating a favorable resolution to this prosecution. The parties had no other matters to bring to the court's attention.

Entered this 7th day of February, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge