

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

---

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAMIAN D. WAGNER,

Defendant.

---

ORDER

06-CR-182-S

On October 30, 2006, I ordered competency and insanity evaluations for defendant. Unfortunately, the Bureau of Prisons did not even designate an institution for defendant until December 21, 2006. *See* dkt. 13. In light of this, it will be impossible to complete the competency evaluation, determine competency, allow and consider pretrial motions, and prepare for trial by February 5, 2007.

Therefore, I am striking the February 5, 2007 trial date and the February 2, 2007 final hearing. New dates will be set as necessary after a competency determination, which will be made at the earliest possible date. Time continues to be excluded from computation under the Speedy Trial Act pursuant to 18 U.S.C. §§ 3161(h)(1)(A) and (H).

Entered this 3<sup>rd</sup> day of January, 2007.

BY THE COURT:

/s/

STEPHEN L. CROCKER  
Magistrate Judge