

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUSTIN WATERHOUSE,

Defendant.

ORDER

12-cr-64-bbc

At a telephone conference held on April 9, 2013, with Assistant United States Attorneys Paul Connell and Kevin Burke and defendant Justin J. Waterhouse's newly retained counsel, Kirk Obear, it was agreed that the trial in this matter would be continued until October 7, 2013. No earlier date was feasible because of defense counsel's need to prepare for trial and the unavailability over the summer of the witnesses who are reservists or members of the active military.

IT IS ORDERED that the trial previously scheduled to begin on April 15, 2013 is canceled. The trial is rescheduled for October 7, 2013. All time between now and October 7, 2013 is excluded in computing the time within which the trial of this offense must commence to comply with the Speedy Trial Act, 18 U.S.C. § 3161. I find that such exclusion is justified under 18 U.S.C. § 3161(h)(3)(A) because of the unavailability of essential witnesses and also under 18 U.S.C. § 3161(h)(7)(A) because the continuance in

this matter serves the ends of justice and outweighs the interest of the public and the defendant in a speedy trial. The defendant is entitled to the services of his retained counsel, to the time necessary for counsel to prepare his defense and to an opportunity to bring witnesses to trial. Neither side has shown any lack of due diligence in this matter.

FURTHER, IT IS ORDERED that appointed counsel Pablo Carranza is relieved of his obligation to represent defendant in this matter.

Entered this 9th day of April, 2013.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge