

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES of AMERICA

v.

CYRIL WEBB.

No. 3:08cr229 (SRU)

ORDER

The indictment in the above-captioned case, returned on November 6, 2008, charged Cyril Webb with one count of possession with intent to distribute 50 grams or more of cocaine base, in violation of 21 U.S.C. §§ 841(a)(1) and 841(b)(1)(A)(iii).

Since that date, Webb has filed five motions to continue jury selection, has substituted counsel once, and upon arriving in court for jury selection on June 5, 2009, made representations to me that he has retained private counsel and seeks a continuance in order to confer with his new attorney regarding the status of his case.

Upon a balancing of the factors specified in 18 U.S.C. § 3161(h)(8), I find that the ends of justice, including Webb's interests in retaining the counsel of his choice and adequate trial preparation, outweigh the best interest of the public and the defendant in a speedy trial. *See Zedner v. United States*, 547 U.S. 489, 507 (discussing "ends of justice" speedy trial continuance). Therefore, the period from Webb's representations regarding retention of private counsel on June 5, 2009 through his trial date is not an unreasonable delay and is excludable from the computation of time within which trial must commence under the Speedy Trial Act.

By order of the court, Webb will be tried beginning July 13, 2009, with jury selection scheduled for July 9, 2009.

It is so ordered.

Dated at Bridgeport, Connecticut, this 5th day of June 2009.

/s/ Stefan R. Underhill
Stefan R. Underhill
United States District Judge