

**UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT**

UNITED STATES OF AMERICA,

v.

CARLOS COLON, et al.

No. 3:14-cv-00085 (JAM)

**ORDER RE GOVERNMENT’S MOTION FOR EXCLUSION OF TIME FOR
PURPOSES OF SPEEDY TRIAL[59]**

For the reasons set forth below, the Court finds that the period of time from the filing of the defense motions to continue, dated May 19, 2014, to November 3, 2014, is excludable for purposes of the Speedy Trial Act under 18 U.S.C. §§ 3161(h)(1)(D), 3161(h)(6), and 3161(h)(7).

The Court finds pursuant to 18 U.S.C. § 3161(h)(7) that the ends of justice served by the continuance outweigh the best interest of the public and the defendants in a speedy trial. This conclusion is based on the nature of the case, which is complex due to the number of defendants, and the nature of the prosecution, in which there are seven charged defendants and six counts resulting from an ATF undercover investigation in which the defendants were audio and video recorded extensively. These factors, alone and in combination, made it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established under 18 U.S.C. § 3161. Moreover, two of the seven defendants moved for an extension of time in order to prepare a series of briefs on May 19, 2014. All seven defense attorneys were provided with an opportunity to object to this extension, and none did. The trial date was selected in consultation with all the parties. Additionally, all of the defendants filed motions in this case

pursuant to this extended deadline. Thus, while only two defendants moved in writing on May 19, 2014 for an extension, all of the defendants benefited from that extension and participated in the selection of the trial date. Lastly, the briefing on those motions has not yet been completed, and oral argument is scheduled for September 2014.

Accordingly, the Court finds that the period of delay from May 19, 2014 through and including November 3, 2014 is properly excludable under 18 U.S.C. §§ 3161(h)(1)(D), 3161(h)(6), and 3161(h)(7).

It is so ordered.

Dated at Bridgeport this 20th day of August 2014.

/s/
Jeffrey Alker Meyer
United States District Judge