

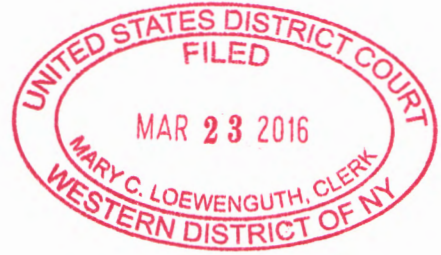
IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

RICHARD PETIX,

Defendant.



15-CR-227-A

SPEEDY TRIAL ORDER
(March 15, 2016, through May 25, 2016)

On March 15, 2016, the parties appeared before the Court for arraignment on the superseding indictment at Dkt. 16. Assistant United States Attorney Wei Xiang appeared on behalf of the government; the defendant appeared personally and by attorney Michael D. Flowerday (for attorney Stephen M. Leonardo). The Court scheduled the following deadlines:

1. Voluntary discovery shall be completed by April 18, 2016;
2. Pretrial motions shall be filed by May 25, 2016;
3. Responses to pretrial motions shall be filed by June 8, 2016; and
4. Oral arguments on pretrial motions shall be held on June 9, 2016.

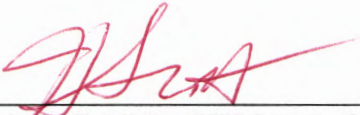
With the consent of counsel for the defendant, the Court excluded the time in this action from and including March 15, 2016, to and including May 25, 2016, as being in the interest of justice and not contrary to the interests of the public and the defendant in a speedy trial under Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv).

Specifically, and for the reasons set forth above, the Court determines that the public's interest in conserving resources by avoiding needless pretrial litigation and the time and expense of both a trial and a likely appeal outweighs the public's interest in a speedy trial. Furthermore, the defendant's interests in securing effective assistance of counsel and continuity of counsel by allowing reasonable time for counsel to review items of discovery and frame appropriate pretrial motions outweigh the interest of the defendant in a speedy trial.

If pretrial motions are filed on or before May 25, 2016, the period of time from the filing of said motions through June 9, 2016, will further be excluded under Title 18, United States Code, Section 3161(h)(1)(D).

NOW, it is hereby **ORDERED** that the time in this action from and including March 15, 2016, to and including May 25, 2016, is properly excluded from the time within which trial must commence, in accordance with the Speedy Trial Act, under Title 18, United States Code, Sections 3161(h)(7)(A) and 3161(h)(7)(B)(iv). The Court further finds that, as of May 25, 2016, zero days of Speedy Trial Act time will have elapsed and 70 days remain in the period under the Speedy Trial Act within which trial must commence.

DATED: Buffalo, New York, March 23, 2016.



HONORABLE HUGH B. SCOTT
United States Magistrate Judge