

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

UNITED STATES OF AMERICA,

v.

15-CR-227-CJS

RICHARD PETIX,

Defendant.

SPEEDY TRIAL ORDER
(March 9, 2017, through April 6, 2017)

On March 9, 2017, the parties appeared before the Court for oral argument on the defendant's motion to dismiss Count Two of the Superseding Indictment. Assistant United States Attorney Wei Xiang appeared on behalf of the government; the defendant appeared personally and by attorneys Stephen M. Leonardo and Matthew R. Lembke.

Following argument, the Court gave the parties an opportunity to attempt to reach a resolution in this matter. A status conference was set for April 6, 2017. With the consent of counsel for the defendant, the Court excluded the time in this action from and including March 9, 2017, to and including April 6, 2017, 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, combined with the certainty of conviction obtained through pleas of guilty by the defendant, outweighs the public's interest in a speedy trial. Furthermore, the defendant's interest in obtaining the benefit of a lesser sentence which would likely accompany a pretrial disposition of this matter outweighs the interest of the defendant in a speedy trial.

NOW, it is hereby

ORDERED, for the reasons set forth above, that a status conference is hereby set for April 6, 2017; and it is further

ORDERED that the time in this action from and including March 9, 2017, to and including April 6, 2017, 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 April 6, 2017, 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: Rochester, New York, March 14, 2017.

/s/ Charles J. Siragusa
HONORABLE CHARLES J. SIRAGUSA
United States District Judge