

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

Criminal Case No.14-CR-000398-WJM

UNITED STATES OF AMERICA,

Plaintiff,

v.

BURTON WAGNER,

Defendant.

**ORDER GRANTING MOTION FOR AN ENDS OF JUSTICE CONTINUANCE
AND FINDING EXCLUDABLE TIME ON GROUNDS OF COMPLEXITY
PURSUANT TO 18 U.S.C. §3161(h)(7)(A) and (B)(ii) and (iv)**

This matter having come before the Court and for good cause shown, it is hereby ORDERED AS FOLLOWS:

The Court finds that for the reasons specifically set forth in the United States' Unopposed Motion, the above-referenced case is complex under Title 18, United States Code, Section 3161(h)(7)(B)(ii), due to the nature of the prosecution, the existence of novel questions of fact or law, and the amount and nature of the documentary material and other evidence subject to pretrial disclosure or discovery.

The Court further finds that such a delay contemplated by Section 3161(h)(7)(A) and (B)(ii) to continue the case for approximately _____ days of excludable speedy trial time, and to set the case for a discovery conference and

further proceedings toward the end of the period of excludable time, is necessary because the case is so complex that it is unreasonable to expect adequate preparation pretrial proceedings or for the trial itself, by either the defense or the prosecution, within the normal time limits established by Title 18, United States Code, Section 3161. Moreover, such a delay is also necessary under Section 3161(h)(7)(B)(iv) because the failure to grant such a continuance in this case, taken as a whole, would deny counsel for the defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.

The Court finds that the ends of justice served by taking such action outweighs the best interest of the public and the defendants in a speedy trial, and the Motion is GRANTED. Accordingly, the parties shall have _____ days of excluded time from the speedy trial calculation in order to review discovery and determine what if any pretrial motions may be appropriate.

SO ORDERED this _____ day of _____, 2014.

WILLIAM J. MARTINEZ
UNITED STATES DISTRICT JUDGE
DISTRICT OF COLORADO