

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION

Case Number: 23-CR-20350-MARTINEZ

UNITED STATES OF AMERICA

v.

JOHANNA MICHELY GARCIA,

Defendant.

**ORDER GRANTING IN PART DEFENDANT'S UNOPPOSED
MOTION TO CONTINUE TRIAL AND ASSOCIATED DEADLINES**

THIS CAUSE came before the Court upon the Defendant's Unopposed Motion to Continue Trial and Associated Deadlines [ECF No. 19]. The Court has reviewed the issues at hand and is otherwise fully advised in the premises.

After careful consideration, the Court finds that the ends of justice will be served by a continuance of the trial as to the Defendant as set forth below, and that an extension outweighs the interest of the public and the Defendant in a speedy trial. Therefore, it is

ORDERED AND ADJUDGED that a continuance is **GRANTED IN PART**.

The previous calendar call and trial date are CANCELLED. Trial in this cause is reset during the two-week trial period starting on **Monday, December 4, 2023, at 9:30 a.m.**, in United States Courthouse, Courtroom 10-1, 400 North Miami Avenue, Miami, Florida. Calendar Call will be held on **Thursday, November 30, 2023, at 1:30 p.m.** at United States Courthouse, Courtroom 10-1, 400 North Miami Avenue, Miami, Florida. All counsel must be present at the calendar call.

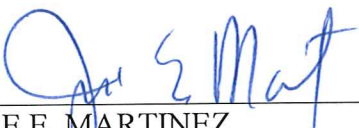
The Court finds that the period of delay from October 16, 2023, to December 4, 2023, and any other trial date set hereafter is excludable in calculating the period within which trial must

commence in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 161(h)(7)(A). This Court finds that: 1) the period for delay resulting from the granting of this joint continuance, to and including the date the trial commences, is excludable time in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. § 3161, *et seq.*; and 2) the ends of justice are served by granting the continuance and outweigh the best interest of the public and Defendant with regard to a speedy trial pursuant to 18 U.S.C. § 3161 because the failure to grant the continuance will prevent the Defendant from receiving an effective defense.

Parties shall file their joint proposed jury instructions as well as verdict forms and proposed voir dire questions if any, one week prior to calendar call. For all other pretrial deadlines, the parties shall refer to the Court's scheduling order [ECF No. 14] for applicable deadlines.

There will be no more continuances granted in this matter absent exigent circumstances.

DONE AND ORDERED at Chambers in Miami, Florida, this 16 day of October, 2023.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record
U.S. Probation Office