

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA §
 §
v. § Criminal No. 3:12-CR-317-L
 §
BARRETT LANCASTER BROWN §

ORDER RESETTING TRIAL

Before the court is Defendant Barrett Lancaster Brown’s Motion to Continue Trial and Pretrial Deadlines, filed July 31, 2013; the Government’s Opposition to Continuance, filed August 7, 2013; and Defendant’s Reply to Government’s Response in Opposition to Motion to Continue Trial and Pretrial Deadlines, filed August 9, 2013. Upon consideration of the motion, response, reply, and the applicable law, and in accordance with the findings set forth below, the court determines that the motion should be and is hereby **granted**. *The government’s request for the court to restrict the parties use of the media will be addressed by separate order.*

Defendant Brown requests a continuance because defense counsel needs additional time to process and prepare the large amounts of electronic discovery in this case. Moreover, defense counsel states in Defendant’s reply to government’s response that Defendant Brown waives his speedy trial rights and that a signed waiver of speedy trial will be submitted by August 20, 2013. Defendant filed the waiver on August 18, 2013.

In accordance with 18 U.S.C. § 3161(h)(8)(A) and (B)(iv), this court finds that the ends of justice served by granting this motion for continuance outweigh the best interest of the public and Defendant in a speedy trial. In this regard, this court has considered factors indicating that its failure

to grant this motion would deny counsel for Defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Therefore, any period of delay resulting from this court's granting the motion for continuance shall be excluded in computing the time within which the trial of this cause must commence under 18 U.S.C. § 3161.

Accordingly, the current trial setting of September 3, 2013, is hereby **vacated**, and this case is **reset** for trial on **Monday, April 28, 2014, at 9:00 a.m.** **No further continuances will be granted unless exceptional or extraordinary circumstances exist.**

The following revised scheduling order is issued for Defendant Barrett Lancaster Brown:

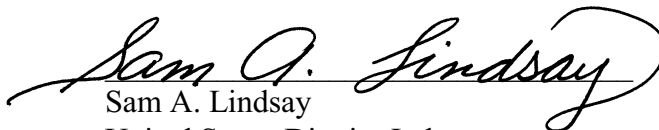
Motion Deadline: January 31, 2014, at 4:00 p.m.

Motion Response Deadline: February 14, 2014, at 4:00 p.m.

Trial Setting: April 28, 2014, at 9:00 a.m.

All other portions of the court's original Criminal Trial Scheduling Order remain in effect.

It is so ordered this 19th day of August, 2013.


Sam A. Lindsay
United States District Judge