

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO: 2:20-cr-114-FtM-66MRM

CASEY DAVID CROWTHER

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Status Conference via Zoom video conference

Presiding Judge:	United States District Judge John L. Badalamenti
Counsel for Plaintiff(s):	Trenton Reichling
Counsel for Defendant(s):	Nicole Hughes Waid and Brian Dickerson
Date:	November 9, 2020
Deputy Clerk:	Shelley Giauque
Court Reporter:	Jeff Thomas
Interpreter:	n/a

Start Time: 1:53 PM

Court calls case. Counsel enter appearances.

Ms. Waid advises the court that the government filed a Superseding Indictment, and they just received the discovery last Friday. They have reviewed the discovery with their client.

Previous Motion to Dismiss the Indictment is now moot due to the Superseding Indictment. Defendants are planning to file another motion to dismiss just Counts 1 through 4 of the Superseding Indictment. The defense believes that they are ready to proceed to trial in December.

Mr. Reichling notes that another response would need to be filed to address the Motion to Dismiss the Superseding Indictment. Also notes that the government has several witnesses that are out of the state. Mr. Reichling notes that the estimated length of trial would be between one and two weeks. There might be travel restrictions with witnesses, due to coronavirus, not to mention the holidays.

The Court rules on the [25] Motion to Dismiss the Indictment – denied as moot. The docket will reflect by way of endorsed order. The Court notes that we have new charges, but we do not have new deadlines set. We need a new scheduling order. Defendant is on bond.

Mr. Reichling notes that his witnesses will be traveling from Georgia, Colorado, Michigan.

The defense is still requesting a date certain in December; but understands that there may be travel restrictions. The defense is willing to be as amenable as possible.

The Court is going to issue a new scheduling order that is going to shift a lot of dates here, which is going to push past the 12/1/2020 current trial term. The Court is going to continue the trial to the January 2021 trial term. Will set a status conference for 12/14/2020 at 1:30 PM.

The Court finds that the ends of justice served by granting such a continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court, therefore, determines that the time from today until the end of the January 2021 trial term shall be "excludable time" pursuant to 18 U.S.C. § 3161(h). Jury Trial is set for the January 2021 trial term commencing 1/4/2021 in Ft. Myers Courtroom 6B before Judge John L. Badalamenti; A status conference is scheduled for December 14, 2020 at 1:30 PM.

Ms. Waid notes that they just received the discovery on Friday and reviewed it over the weekend, and at this point in time the defendant wants to proceed with trial. Counsel will be happy to have conversations with Mr. Reichling.

The Court directs Magistrate Judge McCoy to issue a new scheduling order, in light of the Superseding Indictment.

Court advises counsel to file a motion if there is anything that has been missed.

End time: 2:10 PM