UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v. CASE NO. 2:22-mj-1127-NPM

AL CLINT LAROCHE

UNITED STATES' NOTICE OF FILING THE DEFENDANT'S WAIVER OF SPEEDY INDICTMENT AND UNOPPOSED MOTION FOR AN ENDS-OF-JUSTICE FINDING

The United States files notice of the defendant's waiver of speedy indictment and moves, unopposed, to seek an ends-of-justice finding under 18 U.S.C. § 3161(h)(7)(A). In support, the United States submits as follows:

1. On November 8, 2022, the defendant was arrested on a criminal complaint charging him with false statements to a lending institution in violation of 18 U.S.C. § 1014. He is presently released on bond.

2. Under 18 U.S.C. § 3161(b), the United States must charge the defendant with commission of these offenses by information or indictment within thirty days from the date of his arrest, meaning by December 8, 2022.

3. The defendant has expressed a desire to cooperate against others and to potentially resolve this case by plea agreement. The time limits set by 18 U.S.C. § 3161(b), however, hinder full exploration of these opportunities. Accordingly, the defendant, after being advised by his counsel, executed the

attached waiver agreeing to extend the United States' deadline to charge him by information or indictment from December 8, 2022, to and including January 31, 2023.

4. Consequently, the United States seeks a judicial finding that this brief tolling of speedy indictment serves the ends of justice. *See* 18 U.S.C. § 3161(h)(7)(A). Additional time would afford the defendant an opportunity to cooperate prior to indictment and to explore a plea resolution that could fairly take into consideration such potential cooperation. These interests serve the ends of justice and do not outweigh public interest in a speedy resolution.

5. The defense counsel expressed no objection to the instant Motion.

WHEREFORE, the United States respectfully asks this Court to find that the ends of justice are served by tolling speedy indictment until January 31, 2023.

Respectfully submitted,

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U.S. v. Al Clint LaRoche **Case No. 2:22-mj-1127-NPM**

CERTIFICATE OF SERVICE

I hereby certify that on November 22, 2022, I served a copy of the foregoing on counsel of record, Glenn H. Mitchell, Esq.

By: *s/ Trent Reichling*

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ORDER REGARDING UNITED STATES' UNOPPOSED MOTION FOR AN ENDS-OF-JUSTICE FINDING

This cause comes before the Court on the United States' Unopposed Motion for an Ends-Of-Justice Finding. The defendant's waiver is accepted and the United States' unopposed Motion is hereby GRANTED.

The Court further finds that tolling speedy indictment, 18 U.S.C. § 3161(b), from December 8, 2022, through and including January 31, 2023, serves the ends of justice, and does not outweigh anyone's right to a speedy indictment, 18 U.S.C. § 3161(h)(7)(A).

SO ORDERED this _____ day of November, 2022.

_____
NICHOLAS P. MIZELL
United States Magistrate Judge