

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CRIMINAL ACTION
	)	NO. 1:20-CR-296-JPB-AJB
ANDRE LEE GAINES	)	
_____	)	

MOTION FOR EXTENSION OF TIME TO FILE MOTIONS

COMES NOW, Defendant, ANDRE LEE GAINES, by and through undersigned counsel and files this motion for extension of time to file motions. Pretrial motions are due on December 21, 2020. A pretrial conference is set for December 22, 2020. Defendant requests that the Court allow him an additional 30 days to file pretrial motions. This would make motions due on January 20, 2021. Defendant further requests that the pretrial conference be scheduled after January 20, 2021. For cause, Defendant shows the following:

1) Defendant has been charged in an indictment with conspiracy, bank fraud, wire fraud, and money laundering. He entered a not guilty plea at his first appearance on August 6, 2020.

2) The Government has indicated that it has 23 gigabytes of discovery to provide to defense counsel. Defendant has provided a hard drive, but has not yet received the new discovery. Because defense counsel will need time to review this

new discovery prior to filing motions, it makes sense to continue the current motions deadline.

3) Counsel for the Government, Assistant United States Attorney Nathan Kitchens, has no objection to the granting of this motion.

4) The period from the filing of this motion through the pretrial conference is properly excluded from the speedy trial clock because the ends of justice served by the granting this extension of time outweigh the best interest of the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A).

WHEREFORE, the defendant respectfully requests that the Court continue the pretrial conference and allow him an additional 30 days to file motions.

Dated: This 17th day of December, 2020.

Respectfully submitted,

S/BRIAN MENDELSON, Esq.
STATE BAR NO. 502031
ATTORNEY FOR ANDRE LEE GAINES

FEDERAL DEFENDER PROGRAM, INC.
Suite 1500, Centennial Tower
101 Marietta Street, N.W.
Atlanta, Georgia 30303
(404) 688-7530
Brian_Mendelsohn@fd.org

CERTIFICATE OF SERVICE

I hereby certify that on December 17, 2020, I electronically filed this pleading with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Tal Chaiken, Esq.
Nathan Kitchens, Esq.
Assistant United States Attorneys
600 Richard B. Russell Building
75 Ted Turner Drive S.W.
Atlanta, GA 30303

Dated: This 17th day of December, 2020.

s/BRIAN MENDELSON, Esq.
ATTORNEY FOR ANDRE LEE GAINES
STATE BAR NO. 502031