UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Mag. No. 21-13425 (LDW)
	:	
v.	:	**ORDER FOR A CONTINUANCE**
	:	
ARLEN ENCARNACION	:	

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (by Mark C. Orlowski, Assistant United States Attorney), and defendant Arlen Encarnacion (by Lorraine Gauli-Rufo, Esq.), for an order granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through and including April 14, 2023 to permit defense counsel the reasonable time necessary for effective preparation in this matter and to allow the parties to conduct plea negotiations; and the defendant being aware that the defendant has the right to have the matter submitted to a grand jury within 30 days of the date of the defendant's arrest pursuant to Title 18, United States Code, Section 3161(b); and four prior continuances having been entered upon application of the parties; and the defendant, through the defendant's attorney, having consented to the continuance; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Plea negotiations are currently in progress, and both the United States and the defendant seek additional time to achieve successful resolution of those negotiations, which would render trial of this matter unnecessary, and to allow consideration by the court of a proposed plea agreement entered into by the defendant and the United States;

(2) The defendant has consented to the aforementioned continuance;

(3) The grant of a continuance will likely conserve judicial resources; and

(4) Pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial;

WHEREFORE, it is on this 14 day of February, 2023;

ORDERED that this action be, and it hereby is, continued from the date this Order is signed through and including April 14, 2023; and it is further

ORDERED that the period from the date this Order is signed through and including April 14, 2023 shall be excludable in computing time under the Speedy Trial Act of 1974; and it is further

ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under U.S.C. § 3161(h) have expired.

Leda Dunn Wettre

HONORABLE LEDA DUNN WETTRE
United States Magistrate Judge

Form and entry consented to:

Mark C. Orlowski
Assistant U.S. Attorney

s/Lorraine Gauli-Rufo
Lorraine Gauli-Rufo, Esq.
Counsel for Defendant Arlen Encarnacion