

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

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) |                                 |
|                           | ) |                                 |
| Plaintiff,                | ) |                                 |
|                           | ) |                                 |
| vs.                       | ) | CASE NO.: 1:20-CR-00296-JPB-AJB |
|                           | ) |                                 |
| BERN BENOIT,              | ) |                                 |
|                           | ) |                                 |
| Defendant.                | ) |                                 |
| _____                     | ) |                                 |

**THIRD UNOPPOSED MOTION FOR EXTENSION OF TIME WITHIN  
WHICH TO FILE PRETRIAL MOTIONS BRIEF IN SUPPORT  
THEREOF**

Defendant, (BERN BENOIT), by and through his undersigned counsel (ANTHONY O. EGBASE), hereby moves this Court for an order granting additional time to file pretrial motions in this case. In support of this Motion, counsel avers as follows:

1.

The government action alleges conspiracy between multiple defendants that reside in multiple jurisdictions. At this time, discovery is ongoing and additional discovery is expected from the government by the Defendant. Defendant and his counsel respectfully request that they be given additional sixty (60) days within which to review this discovery and to file pretrial motions in this case, to and including March 28, 2021.

Defendant by and through counsel previously filed for extension from this court on

October 20, 2020 and the court granted it and set a deadline for December 21, 2020 for filing of motions and December 22, 2020 at 11:00am for scheduling pretrial Conference.

2.

The government has advised undersigned counsel that it does not oppose the granting of this motion.

3.

Under 18 U.S.C. Section 3161(h)(7)(A) and (B), the period of delay caused by the granting of this motion is excluded in the computation of the time within which the trial in the instant case must commence. That is, this period of delay is a result of the request of Defendant's counsel and the ends of justice served by the granting of this motion outweigh the best interest of the public and Defendant in a speedy trial in that the failure to grant such continuances would result in a miscarriage of justice; would deny Defendant's counsel time for adequate preparation for pretrial proceedings and would deny Defendant the "reasonable time necessary for effective preparation, taking into account the exercise of due diligence ." 18 U.S.C. Section 3161(h)(7)(A) and (B).

4

Undersigned counsel state herein that Defendant has expressly authorized the filing of this motion for an extension of time within which to file pretrial motions and to continue the pretrial conference and waives any speedy trial time restraints.

**WHEREFORE** defendant (BERN BENOIT) and his counsel hereby request that

this court grants Defendant, Bern Benoit additional 60 days to file his pretrial motion, to and including March 28, 2021.

**Dated this 17<sup>TH</sup> day of December, 2020.**

Respectfully submitted,

s/ Anthony O. Egbase

ANTHONY O. EGBASE

California Bar No. 181721

Attorney for Defendant Bern Benoit

**A.O.E LAW & ASSOCIATES, INC**

350 S. Figueroa Street

Suite 189

Los Angeles, California 90071

(213) 620-7070 (Telephone)

(213) 620-1200 (Facsimile)

[info@aoelaw.com](mailto:info@aoelaw.com)

C:\AOE\Client\B\Benoit\MotionForAdditionalTime

**CERTIFICATE OF COMPLIANCE**

This is to certify that to the best of my knowledge this document has been prepared with one of the font and point selections approved by the Court in LR 5.1B, pursuant to LR 7. Specifically, the above-mentioned document has been prepared using Times New Roman font, 14 point.

**Dated this 17<sup>TH</sup> day of December, 2020.**

*s/ Anthony O. Egbase*  
\_\_\_\_\_  
ANTHONY O. EGBASE  
California Bar No. 181721  
Attorney for Defendant Bern Benoit

**A.O.E LAW & ASSOCIATES, INC**

350 S. Figueroa Street

Suite 189

Los Angeles, California 90071

(213) 620-7070 (Telephone)

(213) 620-1200 (Facsimile)

[info@aoelaw.com](mailto:info@aoelaw.com)

C:\AOE\Client\B\Benoit\MotionForAdditionalTime

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

|                           |   |                                 |
|---------------------------|---|---------------------------------|
| UNITED STATES OF AMERICA, | ) |                                 |
|                           | ) |                                 |
| Plaintiff,                | ) |                                 |
|                           | ) |                                 |
| vs.                       | ) | CASE NO.: 1:20-CR-00296-JPB-AJB |
|                           | ) |                                 |
| BERN BENOIT,              | ) |                                 |
|                           | ) |                                 |
| Defendant.                | ) |                                 |
| _____                     | ) |                                 |

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that on the above date, I electronically filed this document using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Respectfully submitted,

s/ Anthony O. Egbase  
ANTHONY O. EGBASE  
California Bar No. 181721  
Attorney for Defendant Bern Benoit

**A.O.E LAW & ASSOCIATES, INC**

350 S. Figueroa Street

Suite 189

Los Angeles, California 90071

(213) 620-7070 (Telephone)

(213) 620-1200 (Facsimile)

[info@aoelaw.com](mailto:info@aoelaw.com)

C:\AOE\Client\B\Benoit\MotionForAdditionalTime

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 BERN BENOIT, )  
 )  
 Defendant. )  
 \_\_\_\_\_ )

CASE NO.: 1:20-CR-00296-JPB-AJB

**ORDER**

For good cause shown, the Defendant's Motion for Extension of Time to File pretrial Motions is hereby GRANTED, Defendant shall have until \_\_\_\_\_ to file motions. The pretrial conference shall be held on March \_\_\_\_\_, 2021 at \_\_\_\_\_.

The period from the date of this order to the date of the pretrial conference shall be excluded from the speedy trial clock because the ends of justice served by the granting this extension of the time outweigh the best interest of the public and the defendants in speedy trial. 18 U.S.C. Section 3161(h)(7)(A).

IT IS SO ORDERED

This \_\_\_\_ day of December, 2020.

\_\_\_\_\_  
HON. ALAN J. BAVERMAN  
UNITED STATE MAGISTRATE JUDGE

Proposed Order submitted by:  
Anthony O. Egbase  
Attorney for Bern Benoit