

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

UNITED STATES OF AMERICA,

v.

CRIMINAL ACTION NO. 2:22-cr-00161

CALVIN BUTLER

ORDER

Pending is the defendant's second motion to continue the trial of this matter on the grounds that additional time is needed for trial preparation.

The requested delay is not attributable to lack of diligent preparation, to failure to obtain evidence or witnesses, or to congestion of the court's calendar.

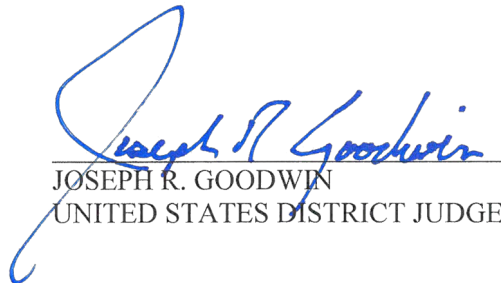
Believing that the ends of justice served by granting a continuance outweigh the best interest of the public and the defendant in a speedy trial, the court **GRANTS** the unopposed motion [ECF No. 29] for continuance. The trial, previously scheduled for January 17, 2023, is **CONTINUED** to **March 7, 2023, at 8:30 a.m.** The parties shall submit their respective witness lists and any proposed voir dire and jury instructions no later than **February 28, 2023**.

The pretrial motions hearing, previously scheduled for January 5, 2023, is **CONTINUED** to **February 21, 2023, at 1:30 p.m.** Any motions to be addressed at the pretrial motions hearing shall be filed no later than **February 7, 2023**.

The court **FINDS** that the time between January 17, 2023, and March 7, 2023, is excludable from the computation of time within which trial must commence, pursuant to 18 U.S.C. § 3161(h)(7).

The court **DIRECTS** the Clerk to send a copy of this Order to the defendant and counsel, the United States Attorney, the United States Probation Office, and the United States Marshal.

ENTER: December 22, 2022



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE