

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

ATLANTA DIVISION

UNITED STATES OF AMERICA	)	
	)	
vs.	)	CRIMINAL ACTION
	)	NO. 1:22-CR-171-MLB-RDC
<u>CARL DELANO TORJAGBO</u>	)	

**UNOPPOSED MOTION FOR EXTENSION OF TIME TO FILE PRETRIAL
MOTIONS AND TO CONTINUE PRETRIAL CONFERENCE**

COMES NOW the Defendant, CARL DELANO TORJAGBO, by and through his undersigned counsel, and moves the Court for thirty (30) additional days to file pretrial motions. Mr. Torjagbo also requests that the pretrial conference, which is scheduled for December 12, 2023, be continued. In support of this motion, Mr. Torjagbo states the following.

Mr. Torjagbo is charged in a seven-count indictment. (Doc. 1). Count One charges bank fraud in violation of 18 U.S.C. §§ 1344 and 2. (Doc. 1). Counts Two through Four charge concealment money laundering in violation of 18 U.S.C. 1956(a)(1)(B)(i) and 2. (Doc. 1). Counts Five through Seven charge transactional money laundering in violation of 18 U.S.C. §§ 1957 and 2. (Doc. 1).

Mr. Torjagbo made his initial appearance and was arraigned on May 12, 2022. (Doc. 9). The Federal Defender Program was appointed to represent Mr. Torjagbo.

(Doc. 9). However, Mr. Torjagbo retained private counsel prior to the filing of pretrial motions. (Docs. 23, 24). On October 2, 2023, Mr. Torjagbo filed a motion to dismiss private counsel and replace with court-appointed counsel. (Doc. 65). On October 17, the District Court granted Mr. Torjagbo's motion, and on October 19, the Federal Defender Program was re-appointed to represent Mr. Torjagbo. (Docs. 68, 70). Pretrial motions are currently due to be filed by December 8, 2023, and a pretrial conference is scheduled for December 12.

Undersigned counsel needs additional time to review the discovery materials produced thus far by the Government, which are voluminous. Undersigned counsel also needs the additional time to conduct necessary legal research, consult with Mr. Torjagbo, and prepare the appropriate pretrial motions on Mr. Torjagbo's behalf.

Undersigned counsel has communicated with counsel for the Government, Russell Phillips, regarding this motion. Mr. Phillips has informed undersigned counsel that he does not oppose this motion.

Undersigned counsel posits that the time associated with this requested extension of time and continuance is excludable under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161. Subsection 3161(h)(7)(A) and (h)(7)(B)(iv) authorize exclusion of delay based upon a finding that the ends of justice outweigh the best interests of the public and the defendant in a speedy trial, such as where the delay

provides reasonable time necessary for effective preparation by counsel, taking into account the exercise of due diligence. See 18 U.S.C. §§ 3161(h)(7)(A) & (h)(7)(B)(iv).

WHEREFORE, Mr. Torjagbo respectfully requests that this motion be granted.

Dated: This 8th day of December, 2023.

Respectfully submitted,

s/ Kendal D. Silas

KENDAL D. SILAS

State Bar of Georgia No. 645959

Attorney for CARL DELANO TORJAGBO

Federal Defender Program, Inc.
Suite 1500, Centennial Tower
101 Marietta Street, N.W.
Atlanta, GA 30303; 404/688-7530

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Unopposed Motion for Extension of Time to File Pretrial Motions and to Continue Pretrial Conference was electronically filed this day with the Clerk of Court using the CM/ECF system, which will automatically send email notification of such filing to the following:

Russell Phillips, Esq.
Assistant United States Attorney
Northern District of Georgia
Federal Courthouse, Ste. 600
75 Ted Turner Drive, S.W.
Atlanta, GA 30303

Dated: This 8th day of December, 2023.

s/ Kendal D. Silas

KENDAL D. SILAS, Esq.

Attorney for CARL DELANO TORJAGBO