

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
CARL TORJAGBO	)	
_____	)	

MOTION FOR EXTENSION OF TIME TO FILE
POST-HEARING REPLY BRIEF

COMES NOW the Defendant, CARL TORJAGBO, by and through his undersigned counsel, and moves the Court for a one-day extension of time to file his post-hearing reply brief in support of his motion and amended motion to suppress statements, docs. 44 & 88. In support of this motion, Mr. Torjagbo states the following.

Pending before the Court are Mr. Torjagbo's motion and amended motion to suppress statements, docs. 44 & 88. The Court conducted an evidentiary hearing on those motions on June 5, 2024. Mr. Torjagbo's post-hearing reply brief is due to be filed by October 24, 2024. Due to the press of undersigned counsel's responsibilities on other matters, undersigned counsel requests an additional one (1) day to file his reply brief in support of his motion and amended motion to suppress statements.

Undersigned counsel posits that the time covered by this requested extension of time would be excludable under the provisions of the Speedy Trial Act, 18 U.S.C. § 3161. 18 U.S.C. § 3161(h)(1)(D) excludes delay resulting from any pretrial motion, from the filing of the motion through the conclusion of the hearing on, or other prompt disposition of, such motion. 18 U.S.C. § 3161(h)(1)(D). Subsections 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 24th day of October, 2024.

Respectfully submitted,

s/ Kendal D. Silas

KENDAL D. SILAS

State Bar of Georgia No. 645959

Attorney for CARL 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 Motion for Extension of Time to File Post-Hearing Reply Brief 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:

John 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 24th day of October, 2024.

s/ Kendal D. Silas

KENDAL D. SILAS, Esq.
Attorney for CARL TORJAGBO