

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

United States of America,

Plaintiff,

Crim. Case No. 22-mj-30125

v.

Java Dominique Carter,

Defendant.

**MOTION AND BRIEF FOR LEAVE TO
DISMISS COMPLAINT WITHOUT PREJUDICE**

Pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, the United States of America hereby moves for leave to dismiss without prejudice the complaint against Java Carter. In this case, the government needs additional time

- 1) to develop and obtain evidence sufficient to establish defendant's guilt beyond a reasonable doubt; and
- 2) to investigate the full extent of the offense(s) in question and identify all other individuals who should be held criminally responsible for the offense(s); or

See generally United States v. Lovasco, 431 U.S. 783, 790-96 (1977); 18 U.S.C. § 3161(d)(1). The government's ability to prosecute this case properly would be substantially impaired were it required to proceed to indictment or information within the 30-day period prescribed by the Speedy Trial Act, *see* 18 U.S.C. §§

3161(b), 3161(h). Accordingly, the government requests leave to dismiss the complaint without prejudice.

Respectfully submitted,

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Dated: November 15, 2023

CERTIFICATE OF SERVICE

I hereby certify that on November 15, 2023, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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