UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. André M. Espinosa, U.S.M.J.
	:	
v.	:	Mag. No. 23-11198
	:	
DAMARIS VALERIO, a/k/a "Damaris Tineo Abreu"	:	

ORDER FOR CONTINUANCE

This matter having come before the Court on the joint application of Philip R. Sellinger, United States Attorney for the District of New Jersey (Benjamin D. Bleiberg, Assistant U.S. Attorney, appearing), and defendant Damaris Valerio (John L. Russo, Esq., appearing), for an order granting a continuance under 18 U.S.C. § 3161(h)(7)(A) through December 1, 2024.

This Court has granted five § 3161(h)(7)(A) continuances previously in this case.

The parties have represented that they have reached a plea agreement, and both the United States and the defendant desire additional time to schedule a plea hearing and have the plea agreement entered in court, which will avoid the need for trial.

Counsel for the United States has also represented that this additional continuance is necessary to prevent any more non-excludable days under § 3161(h) from expiring.

The defendant knows that she has the right under § 3161(b) to have this matter submitted to a grand jury within thirty days after her arrest.

The defendant, through counsel, has consented to this continuance.

FOR GOOD CAUSE, THIS COURT FINDS that this case should be continued for the following reasons:

1. The parties have reached a plea agreement, and both the United States and the defendant desire additional time to schedule a plea hearing and have the plea agreement entered in court, which will avoid the need for trial.

2. The grant of a continuance will render grand jury proceedings and a trial in this matter unnecessary and will likely conserve judicial resources.

3. Thus, the ends of justice served by granting the continuance and preventing any further non-excludable days from passing under § 3161(h) outweigh the best interest of the public and the defendant in a speedy trial.

IT IS, THEREFORE

ORDERED that this action is continued for a period from the date of this order through December 1, 2024;

IT IS FURTHER ORDERED that the period from the date of this order through December 1, 2024, shall be excluded in computing time under the Speedy Trial Act of 1974; and

IT IS FURTHER ORDERED that nothing in this Order or the application prompting it is a finding or representation that less than 31 non-excludable days under § 3161(h) have expired.

S/ANDRÉ M. ESPINOSA

HONORABLE ANDRÉ M. ESPINOSA
United States District Judge

Dated: September 27, 2024

Form and entry consented to:

Benjamin D. Bleiberg
Fatime Meka Cano
Assistant U.S. Attorneys

John L. Russo, Esq.
Counsel for Defendant