

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO.: 2:22-cr-39-SPC-NPM

DANIEL JOSEPH TISONE

ORDER¹

Before the Court is Defendant Daniel Tisone's Unopposed Motion to Continue Trial Date. ([Doc. 49](#)). Defendant has signed a plea agreement and is set for a change of plea hearing on July 29, 2022. ([Doc. 43](#)). But Defendant has recently learned that he is scheduled for sinus surgery that day. Defendant thus asks the Court to continue his trial to the September 2022 trial term to allow sufficient time for him to change his plea. The Government has no objection to the requested relief.

After considering Defendant's reason for a continuance and the factors in [18 U.S.C. § 3161\(h\)\(7\)\(B\)](#), the Court finds the ends of justice served by granting the continuance outweigh the best interest of the public and Defendant in a speedy trial. The time from today until the end of the September 2022 trial term is "excludable time" under [18 U.S.C. § 3161\(h\)](#).

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Accordingly, it is now

ORDERED:

1. Defendant Daniel Tisone's Unopposed Motion to Continue Trial Date (Doc. 49) is **GRANTED**.
2. The Clerk is **DIRECTED** to set this action for the **September 2022 trial term** and a status conference on **August 8, 2022 at 9:30 a.m.**

DONE AND ORDERED in Fort Myers, Florida on July 25, 2022.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record