

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
DARRELL THOMAS,)
)
Defendant.)
_____)

CASE NO.: 1:20-CR-00296-JPB-AJB

**UNOPPOSED MOTION FOR EXTENSION OF TIME WITHIN WHICH TO
FILE PRETRIAL MOTIONS BRIEF IN SUPPORT THEREOF**

COMES NOW Defendant, **DARRELL THOMAS**, by and through his undersigned counsel, and pursuant to LCrR 12.1B. NDGa, respectfully moves this Court for additional time within which to file pretrial motions in this case. In support of this Motion, Defendant shows as follows:

1.

Undersigned counsel were just recently retained in this case and have not yet received discovery from Defendant's prior counsel.

2.

Given that undersigned counsel have not yet begun their review of the discovery in this case, and given undersigned counsel's other case commitments, Defendant respectfully requests that he have an additional sixty (60) days within which to review

this discovery and to file pretrial motions in this case, to and including, October 21, 2020.

3.

The government has advised undersigned counsel that it does not oppose the granting of this Motion.

4.

Under 18 U.S.C. § 3161(h)(7)(A) and (B), the period of delay caused by the granting of this motion is excluded in the computation of the time within which the trial in the instant case must commence. That is, this period of delay is a result of the request of Defendant's counsel and the ends of justice served by the granting of this motion outweigh the best interests of the public and Defendant in a speedy trial in that the failure to grant such continuances would result in a miscarriage of justice; would deny Defendant's counsel time for adequate preparation for pretrial proceedings and would deny Defendant the "reasonable time necessary for effective preparation, taking into account the exercise of due diligence." 18 U.S.C. § 3161(h)(7)(A)and(B).

5.

Undersigned counsel state herein that Defendant has expressly authorized the filing of this motion for an extension of time within which to file pretrial motions and to continue the pretrial conference and waives any speedy trial time restraints.

WHEREFORE, for all of the foregoing reasons, Defendant respectfully prays that this Court grant him additional time within which to file his pretrial motions, to and including October 21, 2020.

This, the 17TH day of August, 2020.

Respectfully submitted,

s/ Howard Jarrett Weintraub
HOWARD JARRETT WEINTRAUB
Georgia Bar No. 746456
Attorney for Defendant Darrell Thomas

s/ Benjamin Black Alper
BENJAMIN BLACK ALPER
Georgia Bar No. 940406
Attorney for Defendant Darrell Thomas

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CERTIFICATE OF COMPLIANCE

This is to certify that to the best of my knowledge this document has been prepared with one of the font and point selections approved by the Court in LR 5.1B, pursuant to LR 7. Specifically, the above-mentioned document has been prepared using Times New Roman font, 14 point.

This, the 17TH day of August, 2020.

s/ Benjamin Black Alper _____

BENJAMIN BLACK ALPER

Georgia Bar No. 940406

Attorney for Defendant Darrell Thomas

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UNITED STATES OF AMERICA,	)	
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vs.	)	CASE NO.: 1:20-CR-00296-JPB-AJB
	)	
DARRELL THOMAS,	)	
	)	
Defendant.	)	
_____	)	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the above date, I electronically filed this document using the CM/ECF system which will automatically send email notification of such filing to all attorneys of record.

Respectfully submitted,

s/ Benjamin Black Alper
BENJAMIN BLACK ALPER
Georgia Bar No. 940406
Attorney for Defendant Darrell Thomas

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