

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 24-80103-CR-CANNON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DUSTIN SEAN MCCABE,

Defendant.

/

**ORDER GRANTING IN PART SECOND JOINT MOTION TO
CONTINUE TRIAL AND ASSOCIATED DEADLINES**

THIS CAUSE comes before the Court upon Defendant's Second Joint Motion to Continue Trial and Associated Deadlines [ECF No. 22]. The Court has reviewed the Motion and is otherwise fully advised. Following that review, it is

ORDERED AND ADJUDGED that Defendant's Motion [ECF No. 22] is **GRANTED IN PART** for the reasons stated in the Motion, including the acknowledgement by Defendant that the period of this continuance should be excluded under the Speedy Trial Act to serve the ends of justice [ECF No. 22 ¶ 8].¹ As a result, the Court finds that the period of delay resulting from this continuance—*i.e.*, from the date the Defendant's Motion was filed, December 2, 2024, to the date trial commences—is excludable time under the Speedy Trial Act. *See* 18 U.S.C. § 3161.

The parties shall adhere to the following pre-trial and trial schedule:

1. Calendar call will be held on **January 7, 2025, at 1:45 pm.** The case is set for **Jury**

¹ The Court does not see a basis for a lengthier continuance than the one granted herein. The Court previously granted the parties' request for a 60-day continuance to discuss resolution of this case short of trial, and that same rationale motivates the present motion [ECF Nos. 20–21].

CASE NO. 24-80103-CR-CANNON

Trial during the two-week trial period that begins **January 13, 2025**, in the Fort Pierce Division.

2. All other instructions set forth in the Court's Omnibus Order Setting Trial [ECF No. 14] remain in effect except as modified by this Order.

DONE AND ORDERED in Chambers at Fort Pierce, Florida, this 3rd day of December 2024.

A handwritten signature in black ink, appearing to read 'Aileen Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record