

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

UNITED STATES OF AMERICA

Plaintiff,

v.

MAURICE FAYNE (1)
DANIEL ERIC JAY (2)

Defendants.

CRIMINAL ACTION FILE NO.

1:20-CR-228-MHC-JKL

ORDER

Defendant Daniel Jay has filed a motion for the continuance of the pretrial conference scheduled for December 1, 2020. [Doc. 109.] A second superseding indictment [Doc. 96] has been filed in the above styled case. Defendants Maurice Fayne and Daniel Jay are scheduled to be arraigned on December 17, 2020 on the second superseding indictment. Therefore, the pretrial conference scheduled for December 1, 2020 is **CANCELLED** and Defendant Daniel Jay's motion is **GRANTED**. Defendant Maurice Fayne and Daniel Jay shall have until **January**

11, 2021 to file any necessary pretrial motions. The pretrial conference is hereby rescheduled to **Tuesday, January 12, 2021, at 9:30 a.m.**¹

The delay between the original and the rescheduled pretrial conference shall be excluded from Speedy Trial Act calculations because the Court finds that the reason for the delay was for good cause, since the Government superseded the indictment. Therefore, additional time is needed after defendants are arraigned, to receive any new discovery, review it and determine what potential pretrial motions to file. The interests of justice in granting the continuance outweigh the public's and the defendant's rights to a speedy trial. 18 U.S.C. § 3161, *et seq.* The clerk is DIRECTED to exclude time from computation under the Speedy Trial Act pursuant to Title 18, United States Code, Section 3161(h)(7)(A) & (B)(i).

IT IS SO ORDERED this 30th day of November, 2020.



JOHN K. LARKINS III
United States Magistrate Judge

¹ In light of the Public Health State of Emergency that currently exists in the State of Georgia due to the spread of the Coronavirus/COVID-19, the pretrial conference will be conducted via Zoom. The Court will send meeting instructions to all parties via email and/or docket entry in CM/ECF a week prior to the pretrial conference.