

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

United States of America,

Plaintiff,

V.

Francesco Distefano,

Defendant.

Case No: 24 CR 424-1

Magistrate Judge Jeffrey Cole

ORDER

An Arraignment hearing was held on 12/13/24 in connection with the superseding indictment. Defendant was informed of the charges and the maximum penalties in the event of conviction. Defendant acknowledged receipt of a copy of the indictment, waives formal reading thereof, and enters a plea of not guilty. A plea of not guilty is entered on all counts of the indictment. 16.1 (a) conference by 12/23/24. Status hearing set before Judge Daniel on 1/7/25 at 9:30am. Without objection, the Government's oral motion to exclude time is granted. At the initial status hearing, counsel for the United States and for the defendant must be prepared to discuss a reasonable but firm schedule for the briefing and filing of pretrial motions. As part of the preparation required for the initial status hearing, counsel must gain a working familiarity with both the nature and volume of discovery. The time from 12/13/24 through 1/7/25 is excluded under 18 U.S.C. § 3161 (h)(7) to serve the ends of justice. Excluding time will permit the parties to review discovery materials and allow the time that is reasonably necessary for effective preparation. Such delay outweighs the interests of the public and the defendant in a speedy trial, particularly at this early stage of the case.

A hearing was also held on the Government's motion to detain the defendant pending trial. Based on the evidence presented by the parties at the lengthy, adversary hearing, and after carefully considering counsels' arguments, I have concluded that the Government has shown by sufficient evidence that there is no condition or set of conditions, other than continued detention, that would reasonably assure the presence of the defendant at trial if he were released on bond. In light of the arguments presented to me at the hearing, it is respectfully recommended to the officials at Jerome Combs Detention Center in Kankakee that the defendant be transferred to the MCC so that he might have greater and easier access to the psychiatric care that the defense has strenuously argued is essential to his well-being. Defendant shall remain in the custody of the US Marshals. The court wishes to thank counsel for the United States, Jeffrey Snell, and for defendant, Robert Fisher, for their superb and very helpful arguments at the hearing today.

(T:63)

Date: 12/13/24

Honorable Jeffrey Cole
United States Magistrate Judge