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

UNITED STATES OF AMERICA *v.* HUNTER VANPELT	Criminal Action No. 1:20-MJ-00821

Joint Motion to Continue

The United States of America, by Byung J. Pak, United States Attorney, and Christopher J. Huber, Assistant United States Attorney for the Northern District of Georgia, and defendant Hunter VanPelt, by and through her counsel, Akil Sekret, and respectfully request, pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(h)(7), a 30-day continuance of the proceedings in the above-captioned case, including the preliminary hearing and time available to obtain an indictment, stating as follows:

1. On October 5, 2020, a criminal complaint was issued against VanPelt charging her with bank fraud, in violation of 18 U.S.C. § 1344. VanPelt was arrested in connection with those charges the next day. An initial appearance was held on October 6, 2020. The Court scheduled a preliminary hearing for October 16, 2020, at 10:00 a.m.

2. Any indictment or information resulting from the charges against the defendant must be filed within 30 days of the arrest. 18 U.S.C. § 3161(b).

Accordingly, any indictment or information must be filed on or before November 5, 2020.

3. Counsel for VanPelt and the government are in discussions about potential resolution of the allegations.

4. The parties request a continuance of the preliminary hearing and also the time available for the government to obtain an indictment so that VanPelt will have sufficient time to consult with her counsel, investigate facts, and continue said discussions with the government.

5. Counsel for VanPelt and for the government have conferred and have agreed to an extension of time up to and including December 9, 2020, within which to file an information or indictment. The parties also request that the preliminary hearing be continued approximately 30 days, to on or around November 16, 2020.

6. The ends of justice will be served by granting a 30-day continuance, and those ends outweigh the interests of the public and the defendant in a speedy trial, because such a continuance will conserve judicial resources and will allow the parties sufficient time to discuss a potential resolution of this case.

WHEREFORE, the parties move this Court for entry of an Order (a) continuing the preliminary hearing to approximately November 16, 2020, (b) continuing the time available to obtain an indictment or information to December 9, 2020, and (c) excluding the time between October 13, 2020 and November 16, 2020, from Speedy Trial calculations.

BYUNG J. PAK
United States Attorney

/S/ AKIL SEKRET

AKIL SEKRET
Counsel for Defendant

Georgia Bar No. 634075

/S/ CHRISTOPHER J. HUBER

CHRISTOPHER J. HUBER
Assistant United States Attorney

Georgia Bar No. 545627

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Order

Having read and considered the parties' Joint Motion to Continue in this matter, and for good cause shown, the Court HEREBY GRANTS the motion.

It is hereby ORDERED that the preliminary hearing is continued to November ___, 2020, at ____:____ _.m.

It is further ORDERED that the Government shall have until December 9, 2020, to indict or otherwise formally charge the Defendant in this case. Failure to do so by that time will result in the dismissal of the above-styled complaint.

Pursuant to 18 U.S.C. § 3161(h)(7)(A) and (B), the Court finds that the ends of justice served by granting the motion to continue outweigh the public's and defendant's interest in a speedy trial. Specifically, this delay will allow the parties the reasonable time necessary to discuss a resolution of the allegations.

Accordingly, pursuant to 18 U.S.C. §§ 3161(h)(7)(A) and (B), excludable time is allowed from October 13, 2020, through and including November _____, 2020.

DATED this _____ day of October, 2020.

REGINA D. CANNON
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I served this document today by handing a copy to defense counsel and via email:

Akil K. Secret
The Secret Firm
P.O. box 91028
Atlanta, GA 30364
asecret@thesecretfirm.com

October 13, 2020

/s/CHRISTOPHER J. HUBER
CHRISTOPHER J. HUBER
Assistant United States Attorney