UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA **CASE NO.: 6:21-cr-141-RBD-NWH**

V.

EMETT BOWENS,
_____/

UNOPPOSED MOTION TO SET A DIFFERENT JURY SELECTION DATE OTHER THAN DECEMBER 5, 2025 AND NOTICE OF SCHEDULE CONFLICT

Comes now, the defendant, EMETT BOWENS, by and through undersigned counsel, hereby moves this Honorable Court to enter an order resetting the jury selection date and alleges:

1. That on November 25, 2025, this Honorable Court entered an order setting this case for jury selection on December 5, 2025, with the rest of the trial starting on December 10, 2025. This order is based upon the defendant not signing a waiver of speedy trial through January 31, 2026.
2. That the defense counsel has a schedule conflict with December 5, 2025 as follows. Undersigned counsel has bought and paid for five airline tickets to travel to the state of Ohio for an "early family Christmas celebration". That said, airline tickets were reserved and purchased on September 8, 2025. The flight departs from Orlando at 8:45A.M. That undersigned counsel would sincerely appreciate it if the jury selection date can be moved to another date in December 2025.
3. That it would be a huge personal hardship if undersigned counsel has to cancel his trip to Ohio in order to pick a jury on December 5, 2025, and would effect not just counsel but

also his extended family as well.

4. That the United States Attorney's Office has been contacted and has no objection to this motion to reset the jury selection date. That is also consistent with the United States position to continue the trial until January 2026 trial term.

MEMORANDUM OF LAW

The Honorable Court has the authority to set trial dates in criminal cases. The Honorable Court also has the authority to reset trial dates for good cause. The fact that defense counsel has a long-preplanned airline trip to another state on December 5, 2025 is good cause to reset the jury selection date. That the defense is not requesting to continue the trial all together but to just change the jury selection date.

WHEREFORE, the defense counsel hereby moves this Honorable Court to enter an order as requested above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on November 26, 2025, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: United States Attorney, further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following: none.

Respectfully submitted,

SMITH & EULO LAW FIRM

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