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,
_____/

DEFENDANT'S RESPONSE TO MOTION TO CONTINUE TRIAL BY THE GOVERNMENT AT DOCUMENT NUMBER 190 AS ORDERED BY THE HONORABE COURT

Comes now, the defense, by and through undersigned counsel, hereby files in writing the response to document number 190 and alleges:

1. That on November 26, 2025, the United States Attorney's Office filed a motion to continue the trial, which was opposed by the defendant.
2. The defense made an oral motion to continue the trial at the status conference hearing.
3. That when undersigned counsel met with defendant subsequent to the status conference, he had changed his mind about the continuance and would not sign a written waiver of speedy trial.
4. That undersigned counsel advised the Honorable Court and the United States Attorney's Office that the defendant would not sign the waiver. The Honorable Court set the case for trial in December 2025. In turn, the United States Attorney's Office then filed their own motion to continue trial in writing.
5. That defense counsel has been appointed to represent the defendant on November 5, 2025,

and could definitely benefit by having more time to prepare for trial. However, professionally and ethically, counsel must object based upon the stated position of Mr. Bowens.

6. That as to the historical information in the motion to continue it is not possible to comment on it as the prior activities in the case undersigned counsel was not involved in any of it.

7. That the calculations the United States Attorney stated in the motion appear to be accurate and correct. The speedy time has not been exhausted at this point in the case. Based upon the speedy trial analysis by the government, it appears speedy trial, without a further waiver, expires on January 8, 2026. It appears that if the trial begins on or before January 8, 2026, a further waiver of speedy trial by the defense is not necessary.

8. That the witness issues the United States Attorney's Office has stated appear to be no fault of the government and are just something that occurs in this business.

9. That on today, December 1, 2025, undersigned counsel met again with the defendant to see if he would sign the waiver of speedy trial; he did not sign. In addition, the defendant advised undersigned counsel that he "wants to represent himself" in this case. That I advised the defendant, I would notify the Honorable court of his position on representation going forward.

WHEREFORE, the defense hereby files the above written response as ordered by the Honorable Court.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on December 1, 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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