MAR 17 2026 PM 2:53
FLMD - USDC - FLMD - ORL

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA
Plaintiff,

v.

EMMET BOWENS, a/k/a Emmitt Bowens,
Defendant

Case No.: 6:21■cr■00141■RBD■EJK

EMERGENCY MOTION TO DISMISS INDICTMENT FOR VIOLATION OF THE SPEEDY TRIAL ACT

Defendant Emmet Bowens, appearing pro se, respectfully moves this Court to dismiss the indictment pursuant to the Speedy Trial Act, 18 U.S.C. §3161–3162, and the Sixth Amendment to the United States Constitution.

BACKGROUND

The indictment in this matter was filed on November 10, 2021. Defendant was subsequently brought before the Court and the case proceeded through numerous continuances, hearings, and competency related proceedings as reflected on the Court's docket.

The Speedy Trial Act generally requires that a criminal defendant be brought to trial within 70 days from the filing of the indictment or the defendant's first appearance, whichever occurs later. 18 U.S.C. §3161(c)(1).

Although certain delays may be excluded from the calculation of the Speedy Trial clock, the Government and the Court must still ensure that the statutory time limits are honored.

DOCKET HISTORY SHOWING EXTENDED DELAY

The docket reflects repeated continuances, competency examinations, and extended periods between hearings. For example, the record reflects competency proceedings beginning in July 2022 and continuing status reports and delays thereafter.

Additionally, substantial time passed between scheduled hearings, continuances, and subsequent proceedings, resulting in prolonged pre■trial delay while Defendant remained subject to ongoing prosecution.

LEGAL STANDARD

Under the Speedy Trial Act, if the seventy■day period is exceeded, the Court must dismiss the indictment upon motion of the defendant. 18 U.S.C. §3162(a)(2).

The Sixth Amendment likewise guarantees the right to a speedy trial. In Barker v. Wingo, 407 U.S. 514 (1972), the Supreme Court established a balancing test considering the length of delay, reason for delay, defendant's assertion of the right, and prejudice to the defendant.

The extensive procedural delays reflected in the docket history demonstrate that the statutory and constitutional protections intended to prevent prolonged pre■trial prosecution have been undermined in this case.

RELIEF REQUESTED

WHEREFORE, Defendant respectfully requests that this Court:

1. Find that the Speedy Trial Act has been violated;
2. Dismiss the indictment pursuant to 18 U.S.C. §3162(a)(2);
3. Determine whether dismissal should be with prejudice based on the length of delay, the Government's responsibility for delay, and the impact on Defendant's rights; and
4. Grant any additional relief this Court deems appropriate.

Respectfully submitted,

Emmet Bowens a/k/a Emmitt Bowens
Defendant, Pro Se

John E. Polk Correctional Facility
211 Eslinger Way
Sanford, FL 32773
Inmate ID #: 202500010733

CERTIFICATE OF SERVICE

I certify that a true and correct copy of this Motion to Dismiss Indictment for Violation of the Speedy Trial Act was served upon the United States Attorney's Office for the Middle District of Florida by mailing or other authorized means on this 10 day of March, 2026.

Emmet Bowens

Emmet Bowens
Defendant, Pro Se

EXHIBIT INDEX

United States v. Bowens
Case No. 6:21-cr-00141-RBD-EJK

Exhibit A – Federal Court Docket History (2021–2026)

Exhibit B – Indictment and Charging Documents

Exhibit C – Defense Motions Filed in the Case

Exhibit D – Court Orders, Hearings, and Competency Proceedings

Exhibit E – Recent Filings and Proceedings (2025–2026)