

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN CARLOS GARCIA, et al.,

Defendants.

Case No. 4:12-CR-278-BLW

ORDER

Defendant Garcia filed a motion to continue that was granted, and his trial date was extended to April 1, 2013. On January 16, 2013, Garcia's co-defendants Echevarria and Rodriguez were arraigned and their trial date was set for March 4, 2013.

Although Garcia's trial date of April 1, 2013, is beyond the 70-day Speedy Trial limit for defendants Echevarria and Rodriguez, who were arraigned on January 16, 2013, nevertheless, Garcia's trial date applies to all defendants. Under the Speedy Trial Act, 18 U.S.C. § 3161(h)(6), excludable time exists for "a reasonable period of delay when the defendant is joined for trial with a co-defendant as to whom the time for trial has not run and no motion for severance has been granted." The Court finds this to be a reasonable period of delay. Accordingly, the Court finds that the trial date of April 1, 2013, shall apply to all defendants.

NOW THEREFORE IT IS HEREBY ORDERED, that the prior trial date for defendants Echevarria and Rodriguez of March 4, 2013 is VACATED and that trial is reset for **April 1, 2013, at 1:30 p.m. in the Federal Courthouse in Pocatello Idaho.**


This trial date applies to all defendants.

IT IS FURTHER ORDERED, that all defendants will be on the same Speedy Trial Act clock because the same excludable time finding under the Speedy Trial Act that applied to defendant Garcia shall apply to all defendants.

IT IS FURTHER ORDERED, that the telephone pretrial conference for all defendants shall be on March 21, 2013, at 4:00 pm. As only logistics will be discussed, the defendants need not appear. The Government shall set up the conference call.

DATED: **January 22, 2013**




B. LYNN WINMILL
Chief Judge
United States District Court