IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, Plaintiff, vs. JOSHUA J. JUST, Defendant.	**4:15CR3063** **ORDER**

IT IS ORDERED:

The defendant's motion to modify conditions of release (filing 44), and his oral motion to continue trial are granted.

1) The defendant shall comply with all terms and conditions of pretrial release which were previously imposed, with the following additions and modifications:

   a. Defendant may attend church services with his family every Sunday, and may further attend marriage enrichment/counseling sessions held at the church on Sundays.

   b. Provided Kristi Just or another adult family member is present, Defendant may visit with his minor child:

      - Every other Sunday from 12 p.m. to 5 p.m. either at the home of Diana Kotas, Aurora, Nebraska or at his own home; and

      - Tuesday and Thursday evenings from 6:00 p.m. to 8:30 p.m. at his own home.

2) The trial of this case is set to commence before the Honorable John M. Gerrard, United States District Judge, in Courtroom 1, United States Courthouse, Lincoln, Nebraska, at 9:00 a.m. on March 7, 2016, or as soon thereafter as the case may be called, for a duration of three (3) trial days. Jury selection will be held at commencement of trial.

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3) Based upon the representations of Defendant's counsel, the Court further finds that the ends of justice will be served by continuing the trial; and that the purposes served by continuing the trial date in this case outweigh the interest of the defendant and the public in a speedy trial. Accordingly, the additional time arising as a result of the granting of the motion, the time between today's date and March 7, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(1) & (h)(7).

November 18, 2015. BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge