IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	**8:05CR117**
Plaintiff,	)	
	)	
vs.	)	**ORDER**
	)	
SENTWALI BUCKLEY,	)	
	)	
Defendant.	)	

This matter is before the court on the motion for an extension of time by defendant Sentwali Buckley (Buckley) (Filing No. 10). Buckley seeks until May 4, 2006, in which to file pretrial motions in accordance with the progression order (Filing No. 7). Buckley's counsel represents that Buckley will file an affidavit wherein he consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Buckley's counsel represents that government's counsel has no objection to the motion. Upon consideration, the motion will be granted.

IT IS ORDERED:

1. Defendant Buckley's motion for an extension of time (Filing No. 10) is granted. Defendant Buckley is given until **on or before May 4, 2006,** in which to file pretrial motions pursuant to the progression order. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional **time** arising as a result of the granting of the motion, i.e., the time between **April 28, 2006 and May 4, 2006**, shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B).

2. The evidentiary hearing tentatively scheduled for 1:30 p.m. on May 9, 2006, will take place as scheduled in the event of any pretrial motions filed in accordance with this order.

DATED this 28th day of April, 2006.

BY THE COURT:

s/Thomas D. Thalken
United States Magistrate Judge

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