IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	**8:15CR20**
Plaintiff,	)	
	)	
vs.	)	**ORDER**
	)	
CRISPIN HERRA-HERRA,	)	
	)	
	)	
Defendant.	)	

This matter is before the court on the motion to continue by defendant Crispin Herra-Herra (Herra-Herra) (Filing No. 80). Herra-Herra seeks a continuance of the trial scheduled for September 21, 2015. Herra-Herra's counsel represents that Herra-Herra will submit an affidavit in accordance with paragraph 9 of the progression order whereby Herra-Herra consents to the motion and acknowledges he understands the additional time may be excludable time for the purposes of the Speedy Trial Act. Herra-Herra's counsel represents that government's counsel has no objection to the motion Upon consideration, the motion will be granted. Trial will be continued as to both defendants.

IT IS ORDERED:

1. Herra-Herra's motion to continue trial (Filing No. 80) is granted.

2. Trial of this matter as to Herra-Herra is re-scheduled for **November 2, 2015,** before Senior Judge Joseph F. Bataillon and a jury. 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 **September 16, 2015, and November 2, 2015,** shall be deemed **excludable** time in any computation of time under the requirement of the Speedy Trial Act for the reason that defendant's counsel requires additional time to adequately prepare the case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 16th day of September, 2014.

BY THE COURT:

s/ Thomas D. Thalken

United States Magistrate Judge

AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO