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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

UNITED STATES OF AMERICA,)	
)	CR 08-82-TUC-DCB (JJM)
Plaintiff(s),)	
)	ORDER
vs.)	
)	
FRANKLIN LLOYD ANTONE,)	
)	
Defendant(s).)	

Re: Continuance of trial

This matter is presently set for trial on July 22, 2008. The Defendant filed a motion to continue and for the reasons set forth therein additional time is required to adequately prepare for trial. The Government has no objection.

The Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and the defendant in a speedy trial because, for the reasons set forth in the motion, failure to grant the continuance is likely to result in a miscarriage of justice if the defendant is required to go to trial on the present trial date.

IT IS ORDERED as follows:

1. The date by which the referred magistrate judge hears the change of plea must be no later than 3:00 p.m. on August 15, 2008.
2. That this matter is RESET for trial on **September 3, 2008 at 9:30 a.m.** **Counsel are to be present at 9:00 a.m.**
3. Excludable delay under 18 U.S.C. §3161(h)(8) is found to begin on July 23, 2008 and end on September 3, 2008. Such time shall be in addition to other excludable time under

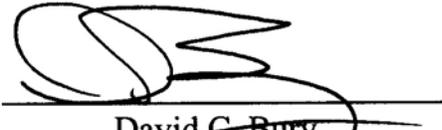
1 the Speedy Trial Act and shall commence as of the day following the day that would
2 otherwise be the last day for commencement of trial.

3 4. That any and all subpoenas previously issued shall remain in full force and effect
4 through the new trial date.

5 5. Any motion or stipulation to continue the scheduled trial date and change of plea
6 hearing deadline shall be filed with the Clerk of Court no later than 5:00 p.m. Monday,
7 August 25, 2008.

8 DATED this 8th day of July, 2008.

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David C. Bury
United States District Judge