

IN CLERK'S OFFICE
U.S. DISTRICT COURT E.D.N.Y.

MAR 27 2008

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

APPLICATION AND ORDER
OF EXCLUDABLE DELAY

v.

DARIAN TRENT,

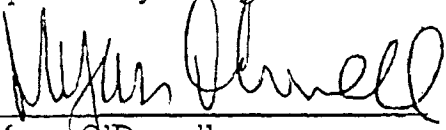
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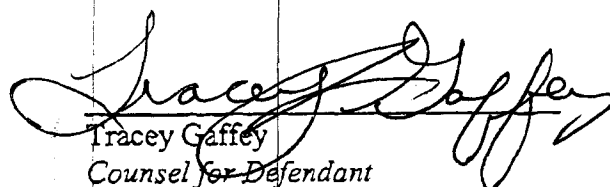
Defendant.

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The United States of America and the defendant DARIAN TRENT hereby jointly apply for entry of the annexed order, which provides that the time period from March 27, 2008 to April 27, 2008 be excluded in computing the time within which an information or indictment must be filed. The reasons for this application are indicated on the proposed order submitted with this application.

This is the ^{FIRST}~~second~~ application for entry of an order of excludable delay. The defendant was arrested and arraigned on February 26, 2008, at which time the defendant waived his right to a preliminary hearing and was released on bond.


Megan O'Donnell
Spec. Assistant U.S. Attorney


Tracey Gaffey
Counsel for Defendant

For defendant to read, review with counsel, and acknowledge:

I understand that federal law generally provides that I have a right to have formal charges lodged against me within thirty days of my arrest and a right to a trial on those charges within seventy days after formal charges have been lodged. I further understand that, by consenting to entry of this order, the date on which formal charges are lodged will be delayed, and the date for the commencement of any trial on those charges will likely be delayed as well. I further understand that I have the right not to consent to entry of this order. I also understand that, if I do not consent to entry of this order and formal charges are not brought against me within the time required by law, I may seek relief from the court, and that this relief might include dismissal of the complaint now pending against me.

I have reviewed this application, as well as the order annexed below, and have discussed the question of whether I should consent to entry of an order of excludable delay carefully with

my attorney. I consent to the entry of the order voluntarily and of my own free will. I have not been threatened or coerced for my consent.

3/24/08
Date

Darian Trent
DARIAN TRENT
Defendant

For Defendant's Counsel to read and acknowledge:

I certify that I have reviewed this application and the attached order carefully with my client. I further certify that I have discussed with my client a defendant's right to speedy indictment and the question of whether to consent to entry of an order of excludable delay. I am satisfied that my client understands the contents of this application and the attached order, that my client consents to the entry of the order voluntarily and of his or her own free will, and that my client has not been threatened or coerced for consent.

ORDER OF EXCLUDABLE DELAY

Upon the joint application of the United States of America and the defendant DARIAN TRENT, and with the express written consent of the defendant, the time period from March 27, 2008 to April 27, 2008 is hereby excluded in computing the time within which an information or indictment must be filed, as the Court finds that this action serves the ends of justice and outweighs the best interests of the public and the defendant in a speedy trial because

- (X) continuation of plea negotiations is likely to result in disposition of this case without trial
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SO ORDERED.

Dated: Central Islip, New York
3/27/08

United States Magistrate Judge