

United States v. Sherwood

Decided Oct 25, 2021

CRIMINAL ACTION 5:21-cr-00055-TES-CHW

10-25-2021

UNITED STATES OF AMERICA, v. STEVEN
SHERWOOD, Defendant.

TILMAN E. SELF, III, JUDGE UNITED STATES
DISTRICT COURT

ORDER GRANTING UNOPPOSED MOTION FOR CONTINUANCE

TILMAN E. SELF, III, JUDGE UNITED STATES
DISTRICT COURT

Before the Court is Defendant Steven Sherwood's Unopposed Motion for Continuance in the Interest of Justice [Doc. 26], in which he seeks to continue the pretrial conference and trial currently scheduled to begin in the October 2021 Trial Term.

By way of background, Defendant Steven Sherwood was indicted on September 15, 2020, and charged with one count Possession with Intent to Distribute Methamphetamine in violation of [21 U.S.C. § 841\(a\)\(1\)](#) and (b)(1)(C), one count Possession of a Firearm in Furtherance of a Drug Trafficking Crime in violation of [18 U.S.C. § 924\(c\)\(1\)\(A\)](#), and one count Possession of a Firearm by a Convicted Felon in violation of [18 U.S.C. § 922\(g\)\(1\)](#) and [924\(a\)\(2\)](#). [Doc. 5].

Defendant pled not guilty to these charges at his arraignment on October 5, 2021. [Doc. 14]; [Doc. 17]. *1

In Defendant's Unopposed Motion for Continuance, he requests that the Court continue this case and its pretrial conference to the next regularly scheduled trial term to allow Defendant's counsel the opportunity "to review the discovery and meet with [him]." [Doc. 26, p. 1]. Consistent with Defendant's request, the Court **GRANTS** his Unopposed Motion for Continuance [Doc. 26] and **CONTINUES** this case and its pretrial conference to the February 7, 2022 Trial Term. The ends of justice served by granting a continuance outweigh the interests of Defendant and the public in a speedy trial. *See* [18 U.S.C. § 3161\(h\)\(7\)\(A\)](#). Failure to grant a continuance would result in a violation of Defendant's rights under the Speedy Trial Act, deny defense counsel the reasonable time necessary for effective preparation, and likely result in the miscarriage of justice. *See* [18 U.S.C. § 3161\(h\)\(7\)\(B\)\(iv\)](#). The delay occasioned by this continuance shall be deemed excludable pursuant to the provisions of the Speedy Trial Act, [18 U.S.C. § 3161](#).

2 **SO ORDERED** *2
