

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Cr. No. 14-10210-MLW
)
STEPHEN SILVA,)
 Defendant)

ASSENTED TO MOTION TO EXCLUDE TIME

Now comes the United States, by its attorneys, Carmen M. Ortiz, United States Attorney, and Peter K. Levitt, Assistant U.S. Attorney, and hereby moves to exclude from all Speedy Trial Act calculations the period of time from October 8, 2014 (the date of the initial status conference), to and including November 12, 2014 (the date of the final status conference). At the October 8, 2014 status conference, the parties requested the exclusion of time and the Court directed the government to file an assented to motion to exclude time. See Dkt. #20. The government inadvertently neglected to do so at that time.

The parties submit that the requested continuance was necessary for the defendant to review discovery and investigate the evidence. The parties therefore request that the above time be excluded from all Speedy Trial Act calculations as reasonable time necessary to review discovery, investigate the evidence, consider whether to file pretrial motions, and then prepare any pretrial motions. The parties also submit that the time excluded is the reasonable time necessary for effective

preparation, taking into account the exercise of due diligence, and that the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant in a speedy trial. See 18 U.S.C. § 3161(h)(1)(F) and § 3161(h)(8)(A)). The defendant, through counsel, assented to the relief requested herein at the status conference on October 8, 2014.

For the foregoing reasons, the requested delay is in the interests of justice and outweighs the best interests of the public and the defendant in a speedy trial.

CARMEN M. ORTIZ
United States Attorney

By: /s/ PETER K. LEVITT
PETER K. LEVITT
Assistant U.S. Attorney
(617) 748-3355

December 17, 2014

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

By: /s/ PETER K. LEVITT
PETER K. LEVITT
Assistant U.S. Attorney