

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:19-CR-22**

UNITED STATES OF AMERICA)
)
 vs.)
)
 JOHN D. GRAY,)
)
 Defendant)

THIS MATTER is before the Court on Defendant John D. Gray’s Motion to Continue Trial and Docket Call. (Doc. No. 375). The Court held a hearing on this motion on October 13, 2023. Having considered the matter, the Court enters the following Order.

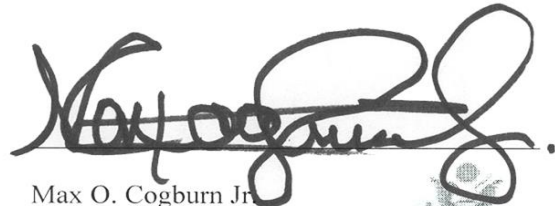
ORDER

IT IS, THEREFORE, ORDERED that the Motion to Continue Trial and Docket Call (Doc. No. 375) is **GRANTED**, and this matter is continued to a criminal term no earlier than April 2024. The Court notes that the parties agreed to this continuance at the October 13, 2023, hearing. The Court intends to notice a specific date in either April or May 2024 once the Court has had the opportunity to consider its schedule. As discussed at the hearing, the parties will submit to the Court a proposed joint scheduling order for pre-trial motions once the Court has designated a specific date for the trial.

The Court finds that the delay caused by this continuance shall be excluded in accordance with 18 U.S.C. § 3161(h)(7)(B)(iv), as failure to grant such a continuance would deny counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Moreover, the ends of justice served by granting such continuance outweigh the best interests of the public and Defendant in a speedy trial. This matter is continued, and the time is excluded.

IT IS FURTHER ORDERED that in accordance with 18 U.S.C. § 3161(h)(6), this matter is continued as to the remaining co-defendants and the time is excluded as a reasonable period of delay as

such defendants are joined with a co-defendant whose case has been continued from the term and as to whom the time for trial has not run and no motion for severance has been granted.



Max O. Cogburn Jr.
United States District Judge

Signed: October 19, 2023