

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION

UNITED STATES OF AMERICA

VS.

CASE NO: 5:13-cr-16-Oc-18PRL

HARLEN ALVAREZ-SANCHEZ

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**ORDER**

This cause came on for consideration on Defendant Harlen Alvarez-Sanchez's Amended Motion to Dismiss Indictment for Violation of Defendant's Right to Speedy Trial (the "Motion") (Doc. 94), to which Plaintiff United States of America filed a response in opposition (Doc. 97). The Court referred the matter to the United States Magistrate Judge, and a hearing was held on same on January 17, 2018.

The Court having reviewed the Report and Recommendation (Doc. 101), and taking in to special consideration the late filing of the Motion and the trial that is set for January 23, 2018,<sup>1</sup> it is hereby **ORDERED** and **ADJUDGED** that United States Magistrate Judge Philip R. Lammens' Report and Recommendation (Doc. 101) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review. Defendant Harlen Alvarez-Sanchez's Amended Motion to Dismiss Indictment for Violation of Defendant's Right to Speedy Trial (Doc. 94) is **DENIED**. Jury Trial in this case will remain set for Tuesday, January 23, 2018, at 9:00 A.M. in Orlando Courtroom 6C.

**DONE** and **ORDERED** in Orlando, Florida, this 19 day of January, 2018.

  
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**G. KENDALL SHARP**  
SENIOR UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record

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<sup>1</sup> Defendant Harlen Alvarez-Sanchez was arrested on February 24, 2017, and trial was originally set for the June 2017 trial term (*see* Doc. 50). On December 20, 2017, the Court set a date-certain trial for January 23, 2018 (*see* Doc. 89). Trial has been continued on multiple occasions (*see* Docs. 50, 52, 59, 63, 69, 76, 85, 89) and numerous waivers of speedy trial have been filed by Defendant (*see* Docs. 54, 71, 78, 87-88); however, Defendant did not file the Motion until January 12, 2018 (*see* Doc. 94 at 1). The Court's own de novo review of the filings in this case leads to the conclusion that the untimely Motion is due to be denied and was filed largely, if not solely, to delay trial in this case.