

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA

v.

CASE NO. 8:17-mj-1777-JSS

SIKIRA ROCHELLE HART

ORDER

This cause comes before the Court on the United States' Unopposed Motion for Determination that the "Ends of Justice" Warrant a Tolling of the Speedy Indictment Deadline for Defendant Sikira Rochelle Hart and Notice of Filing Waiver of Right to Speedy Indictment. (Doc. 17). Hart's waiver is accepted and the United States' unopposed motion is hereby **GRANTED**.

Pursuant to the Speedy Trial Act (the Act"), 18 U.S.C. §§ 3161 - 3174, "[a]ny information or indictment charging an individual with the commission of an offense shall be filed within thirty days from the date on which such individual was arrested or served with a summons in connection with such charges." *See* 18 U.S.C. § 3161(b). The Court, however, may exclude certain periods of time in computing the time within which an information or an indictment must be filed pursuant to the Act. *Id.* § 3161(h).

On October 24, 2017, Hodge was arrested on a criminal complaint charging her with access device fraud and aggravated identity theft, in

violation of 18 U.S.C. §§ 1028(a)(5) and 1028A(a)(1), respectively. On November 21, 2017, Hart executed a Waiver of Speedy Trial wherein she agreed to toll the speedy indictment clock for a period of 90 days, up through and including January 22, 2018. (Doc. 17-1). On November 21, 2017, the United States filed this waiver and moved, unopposed, for a determination that the “ends of justice” warrant a brief tolling of the speedy indictment clock. (Doc. 17).

Based on Hart’s waiver and the representations made in the United States’ unopposed motion, the Court finds that the parties are currently negotiating a resolution of this case. More time is needed to do so. A resolution of this case in a manner that avoids indictment and/or trial, will preserve prosecutorial, judicial, and public resources. Therefore, pursuant to 18 U.S.C. § 3161(h)(7)(A), the Court finds that the ends of justice are served by briefly tolling the time in which Hart must be charged by information or indictment on the charges in the criminal complaint, as required by 18 U.S.C. § 3161(b), and outweigh the interest of the public and Hart in a speedy indictment.

Accordingly, the period of time between November 23, 2017 (the current deadline for indictment) and January 22, 2018, shall be deemed excludable under the Act.

SO ORDERED this 21st day of November, 2017.



JULIE S. SNEED
UNITED STATES MAGISTRATE JUDGE