

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

UNITED STATES OF AMERICA

v.

CASE NO: 2:18-cr-89-FtM-99CM

WILLIAM NOBLES

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**ORDER**

Before the Court is Defendant William Nobles' Response to the Court's Endorsed Order Seeking Clarification of the Defense Position. ([Doc. 40](#)). Nobles moved to suppress evidence ([Doc. 23](#)), and the Court held an evidentiary hearing on the motion on November 7, 2018 ([Doc. 33](#)). A week later, the Court directed Nobles to clarify his position on whether he wants the Court to reserve ruling on his motion until the Eleventh Circuit decides *United States v. Taylor*, No. 17-14197 (11th Cir.), which will address issues dispositive to his motion. ([Doc. 39](#)). The Eleventh Circuit is set to hear oral arguments in *Taylor* in January 2019.

Nobles clarifies that he prefers waiting for the Eleventh Circuit's decision because it "would afford the Court the maximum guidance in addressing" his motion, there is no precedent in the Eleventh Circuit on the issue raised in the motion, and other courts have come to differing conclusions on the matter. ([Doc. 40](#)). The Court allowed the Government to respond to Nobles' position, but it elected not to do so.


After careful consideration of the matter, Nobles' position, and the Government's silence, the Court finds good reason to reserve ruling on the motion to suppress evidence ([Doc. 23](#)) until after the Eleventh Circuit decides *Taylor*.

Accordingly, it is now

**ORDERED:**

- (1) The Court **reserves ruling** on Defendant William Nobles' motion to suppress evidence ([Doc. 23](#)) until after the Eleventh Circuit decides *United States v. Taylor*, No. 17-14197 (11th Cir.).
- (2) In reserving ruling on Nobles' motion to suppress, the Court has considered all the factors, including those set forth in [18 U.S.C. § 3161\(h\)](#), and has found good cause that the ends of justice served by granting the continuance outweigh the best interest of the public and the defendant(s) in a speedy trial. The Court, therefore, determines that the time from today until the end of the March 2019 trial term shall be excludable time.
- (3) The Clerk is **DIRECTED** to set this case for a status conference on **February 11, 2019**.

**DONE AND ORDERED** in Fort Myers, Florida on this 29th day of November 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: Counsel of Record