

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>CRIMINAL</b>
	:	
<b>v.</b>	:	
	:	
<b>WADE McKELVY</b>	:	<b>NO. 15-398-01</b>

**ORDER**

**AND NOW**, this 13th day of December, 2017, upon consideration of the Defendants unopposed Motion to Continue Trial (Document No. 142), and the Court finding that this case cannot proceed to trial because a failure to grant a continuance would deny the Defendant and Government reasonable time necessary for adequate and effective preparation, taking into account the exercise of due diligence, and would likely make an orderly and fair proceeding impossible or result in a miscarriage of justice, and that the ends of justice served by granting this continuance outweigh the best interests of the public and the Defendant in a speedy trial, it is **ORDERED** that the motion is **GRANTED**.

**IT IS FURTHER ORDERED** as follows:

1. Trial is scheduled for **APRIL 9, 2018**.
2. A hearing on all motions, including motions to suppress and any necessary *Starks* or *Daubert* hearing, will be held on **FEBRUARY 28, 2018** at **9:30 A.M.**, in Courtroom 13-A, 13<sup>th</sup> Floor, United States Courthouse, 601 Market Street, Philadelphia, Pennsylvania.

3. No later than **MARCH 16, 2018**, the parties shall file proposed voir dire questions, jury instructions and verdict slip with the Clerk and serve a courtesy copy at Chambers. If a model jury instruction is submitted, the parties shall state the source of the model instruction and whether it is unchanged or modified. If a party modifies a model jury instruction, the modification shall be underlined and deletions shall be placed in brackets. In addition, Counsel shall submit the proposed voir dire questions, jury instructions and verdict slip on a disk or CD, which shall be delivered to Chambers at the time of filing the proposed voir dire questions, jury instructions and verdict slip.

4. The government shall file a trial memorandum with the Clerk and serve a copy at Chambers with its submissions pursuant to paragraph 3 of this Order.

5. In the event a party intends to call an expert witness at trial, the party shall deliver to the opposing party the expert's curriculum vitae and the expert report no later than twenty (20) days before trial.

6. **Any motion for continuance of the trial must be filed not later than fourteen (14) days prior to the trial date. Absent exceptional circumstances, no application for a continuance filed after this time will be entertained. No application for a continuance of trial will be entertained WITHOUT THE DEFENDANT'S SIGNED WAIVER of his/her Speedy Trial Rights. Counsel shall follow Judge Slomsky's Polices and Procedures, a copy of which can be found online at [www.paed.uscourts.gov](http://www.paed.uscourts.gov)**

7. Court Appointed Counsel requesting Compensation for Investigative, Expert or Other Services in excess of the maximum set forth in U.S.C. §3006A(e)(3) MUST obtain Advance Authorization for such services. Counsel shall follow Judge Slomsky's Polices and Procedures, a copy of the form (Advance

Authorization Form for Investigative, Expert or Other Services) can be found online at [www.paed.uscourts.gov](http://www.paed.uscourts.gov)

8. Trial counsel, Robert J. Livermore, AUSA , William J. Murray, Esq. and Walter S. Batty, Esq. are **attached** for the motions hearing and the trial.

BY THE COURT:

*Sl Joel H. Slomsky*  
JOEL H. SLOMSKY, J.

**Copy to Speedy Trial Clerk**