



U.S. Department of Justice

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July 12, 2018

The Honorable Joel H. Slomsky
United States District Court
Eastern District of Pennsylvania

**Re: United States v. Wayde McKelvy
15-CR-398-3
Defendant's Motion to Continue**

Dear Judge Slomsky:

This morning, the defendant filed a motion to continue the trial in this matter which is currently scheduled to begin on September 24, 2018. There is no question that discovery in this case is quite voluminous. However, Mr. McKelvy was indicted in September 2015 - almost three years ago. The government believes that defense counsel has had ample time to review discovery and prepare for trial. For this reason, the government cannot agree to another continuance of the trial.

That being said, if the Court is inclined to grant the continuance, the government respectfully requests that the Court do so as soon as possible. The vast majority of the government witnesses reside out of state and would have to make substantial plans to attend trial, such scheduling time off work and making child care arrangements. Out of respect for these witnesses, the government asks for a ruling on this motion as soon as possible.

Thank you for your time and attention to this matter.

Sincerely,

WILLIAM M. McSWAIN
United States Attorney

/s/

Robert J. Livermore
Assistant United States Attorney

cc: Walter Batty, Esq.
William Murray, Esq.