

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. 3:18 CR 30172 NJR
vs.)	
)	
JACE A. FAUGNO,)	
)	
Defendant.)	

MOTION TO CONTINUE PRETRIAL AND TRIAL DATE

COMES NOW Defendant Jace Faugno, by and through his attorney, Mark A. Hammer (“counsel”), and respectfully requests a continuance of the pretrial and jury trial currently scheduled for July 23, 2019 and July 30, 2019. This motion is made on the following grounds:

- 1) Counsel begins a minimum four-day jury trial in St. Louis County on July 22, 2019 (*State v. Michael Hoerner*, 17SL-CR03697-01) and is therefore unavailable to attend the pretrial conference in this matter.
- 2) Counsel has notified AUSA Hoell of the defendant’s intent to enter into a change of plea in this matter and that no additional resources of the Government need be devoted toward its preparation for trial. Counsel does require a short amount of additional time, after the week of July 22, to work out the final details of that settlement with the Government.
- 3) The Government has no objection to the proposed continuance.
- 4) The defendant agrees to waive his right to a speedy trial, afforded him by the Speedy Trial Act, 18 U.S.C. § 3161, and agrees that the ends of justice served by granting such continuance outweighs the best interest of the public and the defendant in a speedy trial.

For these reasons, defendant respectfully requests the pretrial and trial dates in this matter be continued. Should the Court wish to set the matter for a change of plea hearing, Counsel would be *available* on the following dates/times:

August 15 – all day

August 16 – all day

August 20 – morning (already have matter with Court that morning) or afternoon

August 21 – all day

August 22 – all day

August 26 – afternoon

August 28 – afternoon

August 29 – afternoon

August 30 – all day

Respectfully submitted,

/s/ Mark A. Hammer

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CERTIFICATE OF SERVICE

I certify that, on July 15, 2019, a copy of this document was electronically filed with the Clerk of Court, and served on all counsel of record, by the CM-ECF system.

/s/ Michelle Deubler
