UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT LOUISVILLE

CRIMINAL ACTION NO. 3:06MJ-230

UNITED STATES OF AMERICA PLAINTIFF

vs.

STEVEN D. GREEN DEFENDANT

ORDER

This matter is before the Court on the motion of the United States to continue the arraignment of this case, currently scheduled for August 8, 2006, until November 8, 2006, and to extend the thirty-day time period in which the Indictment must be filed pursuant to 18 U.S.C. § 3161(b) excluding the intervening time pursuant to 18 U.S.C. §§ 3161(h)(8) on grounds that such a continuance is in the interests of justice.

The Court having considered the motion, the Defendant having no objection to the motion, and the Court being otherwise sufficiently advised,

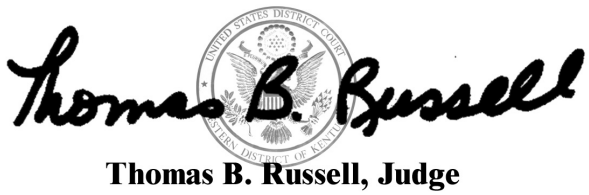
IT IS ORDERED that the motion of the United States for an extension of the period of time in which the Indictment in this case shall be filed is hereby GRANTED. The arraignment currently set for August 8, 2006, is remanded from the Court's docket and continued to November 8, 2006, pending further action of the grand jury on this case.

The Court finds that the ends of justice served by granting the requested continuance outweigh the best interest of the public and the defendant in a speedy trial. The Court has

considered the factors set forth in 18 U.S.C. § 3161(h)(8)(B) and finds that a continuance is justified pursuant to § 3161(h)(8)(B)(iii). This is a case in which the defendant's arrest, on June 30, 2006, precedes indictment, and given the existence of the parallel military prosecution in Iraq with witnesses and evidence located in Iraq, it is unreasonable to expect return and filing of an Indictment within the thirty-day period provided for by the Speedy Trial Act.

IT IS FURTHER ORDERED that the ends of justice warrant that the period of delay from the filing of this motion until the return of the Indictment shall be excluded in calculating the thirty-day time period for Indictment pursuant to 18 U.S.C. § 3161(h)(8).

SO ORDERED,



Thomas B. Russell, Judge
United States District Court

July 20, 2006