

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
LOUISVILLE DIVISION

UNITED STATES OF AMERICA

Plaintiff

v.

Criminal Action No. 3:22CR-84-RGJ

BRETT HANKISON

Defendant

* * * * *

MEMORANDUM OF CONFERENCE AND ORDER

A status conference via Zoom was held in this matter on December 13, 2023 before the Honorable Rebecca Grady Jennings, United States District Judge. The Court's official reporter was Terri Horton. The following counsel participated in the status conference:

For the United States: Michael Songer & Anna Mary Gotfryd

For the Defendant(s): Jack Byrd, Wm. Stewart Mathews II, and Ibrahim A. Farag,
Retained Counsel, for Brett Hankison, who was present in person
by video.

The Court and counsel discussed the procedural posture of the case. The United States informed the Court that the United States does intend on re-trying this case and would request the Court to schedule this matter for trial sooner rather than later. Counsel for the defense, Mr. Wm. Stewart Mathews informed the Court that he intends on withdrawing as counsel for the defendant as he is retiring. Furthermore, it is possible that a new defense team may be retained by the defendant, but a final decision has not been made. The Court will pass this case for another status hearing in thirty days and will schedule this matter for a tentative jury trial date that current counsel will work on their schedules. Based on the discussion during the

conference, and the Court being otherwise sufficiently advised, **IT IS HEREBY ORDERED** as follows:

(1) This matter is set for a further **status hearing via Zoom on January 24, 2024 at 12:30 p.m.** before the Honorable Rebecca Grady Jennings, United States District Judge. A Zoom link will be sent out to counsel before the hearing.


(2) This matter is **tentatively** scheduled for a further **jury trial on October 15, 2024 at 9:30 a.m., with counsel in the Courtroom at 9:00 a.m.,** before the Honorable Rebecca Grady Jennings, United States District Judge. A final pretrial conference and trial deadlines will be scheduled by further orders. **The Court will hold two weeks for trial.**

(3) Counsel for the defendant-Wm. Stewart Mathews II shall file a motion to withdraw as counsel within **thirty days of this hearing.** Any further motions to withdraw may be filed by the defense team within that time frame also.

(4) Pursuant to 18 U.S.C. § 3161(h)(7)(A), (h)(7)(B)(i), (h)(7)(B)(ii), and (h)(7)(B)(iv), the Court finds **the period of delay from December 13, 2023 to January 24, 2024 is excludable in computing the time within which the trial must commence under the Speedy Trial Act.** The Court further finds that the ends of justice served by this delay outweigh the best interests of the public and the defendants in a speedy trial because failure to grant such a continuance would deny counsel for Defendant and the United States the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. *See* § 3161(h)(7)(B)(iv); *Zedner v. United States*, 547 U.S. 489 (2006). This continuance is not being granted “because of general congestion of the court’s calendar, or lack of diligent preparation or failure to obtain available witnesses on the part of the attorney for the Government.” § 3161(h)(7)(C).

(5) **IT IS FINALLY ORDERED** that the Defendant shall be allowed to remain on bond pending further order of the Court.

December 15, 2023



Rebecca Grady Jennings, District Judge
United States District Court

Copies to: Counsel of record
Probation Office

Court Time: 00/25

Court Reporter: Terri Horton