

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
at KNOXVILLE

UNITED STATES OF AMERICA            )  
  )  
v.    )  
  )  
EDWARD KELLEY                         )

Case No. 3:22-cr-118-001  
Judges Varlan/Poplin

**JOINT MOTION TO CONTINUE THE TRIAL DATE**

The defendant Edward Kelley and the United States respectfully and jointly move the Court to continue the trial date.

1. The Court recently continued the plea deadline and trial date in order to allow the parties to continue their negotiations in an effort to resolve the instant matter as well as the related matter in the United States District Court for the District of Columbia, *United States v. Kelley*, D.D.C. Case No. 1:22-cr-408. (Doc. 50). Pursuant to that Order, the trial date was rescheduled to May 7, 2024.
2. Although the parties were continuing to negotiate in good faith, there now appears to be an impasse and a trial is necessary for resolution.
3. However, the current trial date conflicts with previously scheduled out-of-town responsibilities for both defense counsel and counsel for the Government.
4. The parties have discussed a continuance to a specially set trial date to ensure that all of the necessary arrangements and preparations are made without the need for another delay.

5. Furthermore, Mr. Kelley is charged in a three-count indictment that accuses him of very serious crimes. Because of the sensitive nature of the charges and the need to coordinate witnesses and expert testimony, both parties will need time to properly prepare for trial.
6. The granting of the continuance should result in the delay being excluded under the Speedy Trial Act as the ends of justice are best served by allowing counsel the additional time necessary for effective preparation given counsel's exercise of due diligence, as required under 18 U.S.C. §§ 3161(h)(7)(A) and (B). Defense counsel cannot provide the effective assistance of counsel otherwise.
7. The request for extension is not being made for the purposes of delay. Counsel has communicated with Mr. Kelley and he understands that the period of time between the filing of this motion and a rescheduled court date will be fully excludable time for speedy trial purposes. 18 U.S.C. § 3161(h).

In consideration of the foregoing, the parties request a continuance of the trial date to August 13, 2024. The parties have coordinated and agreed that resetting the trial date for this specific date will obviate the need for any other extensions or requests for delay.

Respectfully submitted,

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