IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
vs.	)	No. 19-MJ-971
	)	
TROY LIVINGSTON,	)	
	)	
Defendant.	)	

CONTINUANCE OF GRAND JURY PRESENTMENT
AND REQUEST FOR ORDER TOLLING SPEEDY TRIAL TIME COMPUTATION

1.   I am the defendant in this criminal proceeding.

2.   I understand that I have a right to have my case presented to a grand jury within thirty (30) days of my arrest pursuant to 18 U.S.C. §3161(b).

3.   I hereby request a continuance of grand jury presentment for an additional period not to exceed 60 days from the date of arrest, for a total of 90 days. I understand the additional 60 days will be excluded for purposes determining compliance with speedy indictment provision of 18 U.S.C. § 3161(b). I further request that an Order be entered providing that this time period shall be excluded from speedy indictment time computation pursuant to 18 U.S.C. § 3161(h)(7)(A).

4.   In exchange for my waiver, the government will provide pre-indictment discovery. Continuing the grand jury presentment will also allow my attorney to attempt to negotiate a pre-indictment plea agreement with the government, whose terms may be more favorable than those of an agreement offered after indictment. An expeditious pre-indictment resolution outweighs the public's interest in a speedy indictment and trial as it would conserve valuable judicial, prosecutorial, and law enforcement resources.

1

5.   I understand that if I cannot reach an agreement with the government, my case will be presented to the grand jury at a later date, consistent with this waiver.
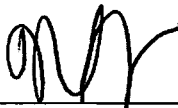
6.   Assistant United States Attorney David Cowen is in agreement with this request.

Date: _4-17-19_   _Troy Livingston_
                                                   Troy Livingston
                                                   Defendant

I have reviewed the foregoing document with my client and represent to the Court that he understands it.   I further represent to the Court that I believe it is in my client's best interest to agree to the contents of this document.

_____
Mallory Gagan
Attorney for Defendant