

Rule 4.16

EXCLUDABLE TIME AND MOTIONS - SPEEDY TRIAL ACT

(a) **Content of Motions.** Any motion submitted for filing in a criminal case must contain a statement as follows:

"Excludable delay under 18 U.S.C. s 3161(h)_____ will occur as a result of this motion or of an order based thereon." (In the blank space provided, the counsel will insert the specific subparagraph involved, e.g., (1)(A), competency examination of defendant; (3)(A), absence or unavailability of defendant or essential witness.)

(b) **Content of Orders.** Any written order prepared for signature by a United States District Judge or United States Magistrate Judge must contain a final paragraph or statement as follows:

"Excludable delay under 18 U.S.C. s 3161(h)_____ is found to commence on ___ for a total of ___ days."

(c) **Content of Minute Entries.** All minute orders relating to disposition of criminal motions ruled upon in open court shall contain a statement comparable to that outlined in (b) above.

(d) **Waiver of Statement.** In any case, or in the case of a defendant proceeding pro per, the Court may, in the interest of justice, waive the necessity of a statement of excludable time.

(e) **Motions for Joinder of Motions.** Any motion for joinder must specifically identify the motions to be joined, and motions for joinder of motions to be filed in the future will not be considered.