

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA :

v. : Magistrate's Number: 99-68-M

KENNETH A. JOHNSON, JR. :

MOTION TO DISMISS COMPLAINT

Pursuant to Fed. R. Crim. P. 48(a), the United States of America, by counsel, Michael R. Stiles, United States Attorney, and Richard A. Lloret, Assistant United States Attorney, moves for leave to dismiss the complaint previously filed in this action prior to the expiration of the 30 day period for the filing of an indictment under the Speedy Trial Act, 18 U.S.C. § 3161(b). The defendant, KENNETH A. JOHNSON, JR. was arrested on January 21, 1999. A complaint was filed on January 22, 1999. The 30 day period for filing an indictment does not expire until February 20, 1999. The reason for the dismissal is that the United States does not expect to be able to complete its investigation of the defendant prior to the expiration of the 30 day period for the filing of an indictment under 18 U.S.C. § 3161(b).

The United States' motion is without prejudice to the later filing of an indictment and/or information.

The United States requests entry of the order submitted with this Motion.

Respectfully submitted,

MICHAEL R. STILES
United States Attorney

RICHARD A. LLORET
Assistant United States Attorney

CERTIFICATE OF SERVICE

I hereby certify that on this date I caused a true and correct copy of the foregoing

Motion to be served by first-class United States mail, postage prepaid, upon the following:

Hark & Hark
1415 Route 70 East
Suite 501
Cherry Hill, NJ 08034

February 12, 1999

RICHARD A. LLORET
Assistant United States Attorney