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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

United States of America,
Plaintiff,
v.
Joseph M. Arpaio,
Defendant.

No. CR-16-01012-001-PHX-SRB
ORDER

The Court has considered Defendant Joseph M. Arpaio’s Waiver of Speedy Trial Rights and Request for Continuance [Doc. 50], the Government’s Response [Doc. 51] and the Defendant’s Reply [Doc. 52].

The Court rejects the request to delay this criminal contempt trial until 120 days after the Government decides whether to pursue criminal charges against Defendant Arpaio for possible obstruction of justice as mentioned by the Government at the October 11, 2016, Status Conference or for perjury referenced in Judge Snow’s Order [Doc. 1]. Whether any such charges will be pursued is uncertain.

Judge Snow referred this criminal contempt action to this Court after finding Defendant Arpaio in civil contempt of his Preliminary Injunction and other orders. The Government has stated its intention to only prosecute Defendant Arpaio for his contempt of the Preliminary Injunction. There is no justification for the indefinite continuance based on possible future charges not involving contempt of the Preliminary Injunction.

1 The Court intends to proceed with this criminal contempt trial after affording Defendant
2 Arpaio of a reasonable time to prepare a defense.

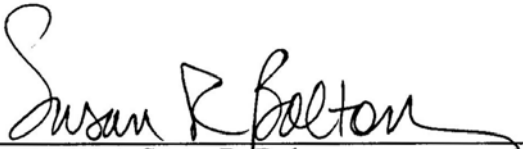
3 IT IS ORDERED granting in part and denying in part Defendant Arpaio's Request
4 for Continuance [Doc. 50].

5 IT IS FURTHER ORDERED continuing Trial from December 6, 2016, to **April 4,**
6 **2017, at 9:00 a.m.**

7 The Court finds excludable delay under 18 U.S.C. § 3161(h) from **December 7,**
8 **2016, to April 4, 2017.**

9 Dated this 29th day of November, 2016.

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Susan R. Bolton
United States District Judge