

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION**

CASE NO. 23-80101-CR-CANNON(s)

UNITED STATES OF AMERICA,

Plaintiff,

v.

**DONALD J. TRUMP,
WALTINE NAUTA, and
CARLOS DE OLIVEIRA,**

Defendants.

FOURTH SPEEDY TRIAL REPORT

Pursuant to Local Rule 88.5 and the Court’s Omnibus Order Setting Trial Date and Establishing Pretrial Instructions and Sentencing Procedures (ECF No. 28), both of which require the filing of Speedy Trial Reports, the United States hereby files this Speedy Trial Report regarding the status of this case under the Speedy Trial Act of 1984, 18 U.S.C. § 3161 *et seq.* (“Speedy Trial Act”).¹

In its July 21 Order Granting in Part Government’s Motion to Continue Trial and Resetting Deadlines (ECF No. 83), the Court excluded all of the time between the date of that Order and the trial date of May 20, 2024, pursuant to 18 U.S.C. § 3161(h)(7)(A). By Order dated August 21, 2023 (ECF No. 128), the Court extended its earlier Order to Defendant De Oliveira. Thus, all time under the Speedy Trial Act is now tolled through May 20, 2024.

¹ Counsel for Defendants Trump and Nauta have reviewed this filing and have authorized the Government to represent that they concur with the Speedy Trial Act calculations set forth herein. Counsel for Defendant De Oliveira will be filing a separate Speedy Trial Report.

In the Second Speedy Trial Report (ECF No. 93), the parties – *i.e.*, the Government and Defendants Trump and Nauta – agreed that the addition of Defendant De Oliveira in the Superseding Indictment reset the Speedy Trial clock for all Defendants. Accordingly, if for any reason the Speedy Trial clock begins to run after May 20, 2024, 70 days remain before a trial must begin.

The Government responds separately to Defendant De Oliveira’s claim in his Initial Speedy Trial Report (ECF No. 132) that he is entitled to a trial 70 days from his arraignment because he has not filed any motions and does not seek an ends-of-justice continuance. In a multi-defendant case, excludable time for one defendant is excludable as to all defendants. *See United States v. Mejia*, 82 F.3d 1032, 1035 (11th Cir. 1996) (abrogated on other grounds by *Bloate v. United States*, 559 U.S. 196 (2010)); *United States v. Sarro*, 742 F.2d 1286, 1299 (11th Cir. 1984). *See also United States v. Vasquez*, 918 F.2d 329, 337 (2d Cir. 1990) (The Speedy Trial Act “imposes a unitary time clock on all co-defendants joined for trial.”). Accordingly, De Oliveira is subject to the same Speedy Trial Act exclusions as the other Defendants.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Jay I. Bratt, certify that on September 12, 2023, I electronically filed the foregoing document with the Clerk of Court using CM/ECF.

/s/ Jay I. Bratt

Jay I. Bratt