

TO BE PUBLISHED
IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF IOWA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

FEDERICO JIMENEZ HERNANDEZ,

Defendant.

No. CR15-4016-MWB

ORDER

This case is before me on defendant's motion (Doc. No. 27) for court ordered writ. Plaintiff (the Government) has filed a resistance (Doc. No. 31). No party has requested oral argument and, in any event, I find that oral argument is not necessary.

Defendant is currently in the custody of the State of Iowa pending resolution of a criminal charge for sexual abuse in the third degree. Meanwhile, he was indicted in this case on March 18, 2015, and is charged with two felony drug-related offenses. On June 22, 2015, this court issued a writ (Doc. No. 23-1) of habeas corpus ad prosequendum requesting that the State of Iowa place defendant in federal custody until the completion of all proceedings in this court. Apparently, the State of Iowa declined to honor the writ and intends to keep defendant in its custody until the state law charge against him is resolved.

Defendant now seeks another writ and demands that this court somehow force the State of Iowa to hand him over so he can plead guilty in this case. He appeals to such concepts as "[c]ommon sense" and "judicial economy." Doc. No. 27 at ¶ 4. Unfortunately, defendant cites no law and offers no legal analysis. This court has already issued a writ. Unless and until defendant offers a solution based in law, rather

than merely rambling about what might seem to be a good idea, I find that there is nothing else that this court can do.¹ The motion (Doc. No. 27) is **denied**.

IT IS SO ORDERED.

DATED this 24th day of August, 2015.



LEONARD T. STRAND
UNITED STATES MAGISTRATE JUDGE

¹ Defendant suggests that his “rights to a speedy trial may be affected” by further delay. Defendant is free to file a motion to dismiss if he has a good faith, colorable argument that his Sixth Amendment right to a speedy trial has been violated. *But see* 18 U.S.C. § 3161(h)(1)(B) (excluding “delay resulting from trial with respect to other charges against the defendant”). Merely referencing the right to speedy trial without backing it up with any reasoned analysis serves no purpose.