

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	Case No. 08-00297-12-CR-W-FJG
	)	
ENRICO McCLAIN,	)	
Defendant.	)	

**DEFENDANT McCLAIN’S MOTION FOR EXTENSION  
OF TIME TO FILE SUBSTANTIVE MOTIONS**

COMES NOW, Enrico McClain, by and through his counsel, Lance D. Sandage, respectfully requests this court for an Order extending the time to file substantive motions in this case. Defendant McClain states the following in support:

**SUGGESTIONS IN SUPPORT**

1. This Court’s Trial Order states that all pretrial motions shall be filed on or before May 8, 2009 and the parties shall have 12 days to respond to said motions. The trial is set for August 24, 2009.
2. Undersigned counsel is currently in the fourth week of a multi-week trial in United States District Court for Kansas in a case style *United States v. Wesley, et al (case no. 07-20168-JWL)*. The case is not likely to end before the deadline of May 8, 2009 to file pretrial motion in McClain’s case.
3. Counsel believes there might be a limited number of pretrial motions filed by McClain including but not limited to a Motion to Suppress Statements. However, counsel has not yet had an opportunity to complete research on this issue and discuss the matter with Mr. McClain.

4. An extension to file pretrial motions to **May 22, 2009** will counsel adequate time to complete his research and consult with his client regarding issue related to the filing of said motion(s).

5. Undersigned counsel attempted to reach AUSA Linda Marshall before the filing of this Motion and she acknowledge in an email today that she has no objection to this request.

WHEREFORE, defendant McClain respectfully requests this court for an Order extending the time to file substantive pretrial motions to May 22, 2009 or for whatever other relief this court deems just and proper.

Respectfully Submitted,

**THE SANDAGE LAW FIRM, P.C.**

/s/ Lance D. Sandage

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ATTORNEY FOR ENRICO McCLAIN

**CERTIFICATE OF SERVICE**

I hereby certify that on May 4<sup>th</sup>, 2009, the foregoing was sent via CM/ECF system to:

Linda Marshall, Esq.  
AUSA  
400 E. 9<sup>th</sup> Street  
5<sup>th</sup> Floor  
Kansas City, MO 64106

all defense counsel of record

/s/ Lance D. Sandage  
Lance D. Sandage