

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. ) Case No.: 4:08-CR-00297-FJG-4  
 )  
 STEFAN M. GUERRA, at al. )  
 )  
 Defendants. )

**APPLICATION FOR CONTINUANCE**

Defendant Stefan Guerra moves the Court for continuance of the present trial setting of January 5, 2009.

The basis of this motion is set forth below.

**SUGGESTIONS IN SUPPORT**

1. Guerra and sixteen other co-defendants were indicted on October 29, 2008 and charged with conspiracy and mail fraud.
2. Because of the number of defendants, the complexity of the underlying transactions and the volume of the Government's discovery, the proposed trial date of January 5, 2009 is not feasible for the parties.
3. Assistant United States Attorney Linda Marshall concurs in the filing of this motion.
4. Defendant Guerra has been apprised of the need to request a continuance and is in agreement with counsel in requesting the continuance. Guerra understands that pursuant to 18

U.S.C. §3161(h)(8)(A), no time delay resulting from this request for a continuance will be considered for purposes of the Speedy Trial Act.

**WHEREFORE**, for the reasons set forth herein, Defendant Guerra moves this Court to continue the trial date in this case.

Respectfully submitted,

BRADSHAW HERRINGTON P.C.

BY: /s/ Daniel O. Herrington

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ATTORNEYS FOR DEFENDANT  
STEFAN M. GUERRA

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system which will send notice of electronic filing this 11<sup>th</sup> day of December, 2008 to all counsel of record.

/s/ Daniel O. Herrington