

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
vs.	)	<b>No. 09-00296-06-CR-W-FJG</b>
	)	
<b>JOHNNY ANGELL, et al.</b>	)	
	)	
<b>Defendants.</b>	)	

**MOTION TO CONTINUE TRIAL SETTING**

COMES NOW Nicholas Donkersloot, by and through counsel, Charles M. Rogers and moves this Honorable Court for its order continuing this matter from the current trial setting of December 7, 2009 until the February, 2010 trial docket. In support of this Motion, the defendant offers the following memorandum in support:

**MEMORANDUM IN SUPPORT**

1. Mr. Donkersloot has been named in a indictment charging six individuals with conspiracy to distribute more than five hundred grams of methamphetamine. The indictment also charges one of the six, Mr. Angell, with witness tampering.

2. On October 5, 2009, Mr. Donkersloot first appeared before the Honorable Robert Larsen, United States Magistrate Judge, in connection with this matter. Mr. Donkersloot was released on his own recognizance, upon conditions. That same date, undersigned counsel entered his appearance for Mr. Donkersloot.

3. Counsel has not yet received discovery from the government concerning this case. Counsel has not had, and by December 7, 2009 will not have had sufficient time to investigate the case and prepare the case for trial..

4. Counsel has discussed this Motion with Mr. Donkersloot, who agrees to and personally joins in this request for continuance, understanding that the delay resulting from this continuance will be excluded from the speedy trial requirements of 18 U.S.C. § 3161.

Wherefore, Mr. Donkersloot respectfully moves the Court to continue this case from the present trial setting until February, 2010, and for such other and further relief the Court deems just and proper under the circumstances.

Respectfully submitted,

WYRSCH HOBBS MIRAKIAN, P.C.

/s/Charles M. Rogers

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**CERTIFICATE OF SERVICE**

I certify that a copy of the foregoing was delivered via electronic notification this 13<sup>th</sup> day of October, 2009, to all counsel of record.

/s/Charles M. Rogers  
CHARLES M. ROGERS