

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 09-00157-10-CR-W-SOW
)	
MINDY LYNN MORRIS,)	
)	
Defendant.)	

**MOTION TO DISMISS COUNT ONE
OF INDICTMENT AND SUPPORTING SUGGESTIONS**

The United States of America, by the United States Attorney for the Western District of Missouri, moves this Court to dismiss Count One of the Indictment in the above-captioned case on the grounds that the defendant has pled guilty and been sentenced on Count Two of the Indictment, as more fully explained below:

1. The Defendant, Mindy L. Morris, was charged in a two Count Indictment returned on May 19, 2009 to conspiracy to manufacture and distribute a mixture or substance containing a detectable amount of methamphetamine, a Schedule II controlled substance, in an amount of five-hundred (500) grams or more, contrary to the provisions of Title 21, United States Code, Section 841(a)(1) and (b)(1)(A), all in violation of Title 21, United States Code, Section 846, a Class A Felony (Count One); and conspiracy to possess a listed chemical, pseudoephedrine, with the intent to manufacture a controlled substance and possess and distribute a listed chemical, pseudoephedrine, knowing, or having reasonable cause to believe, that the listed chemical, pseudoephedrine, would be used to manufacture a controlled substance, contrary to the provisions of Title 21, United States Code, Section 841(c)(1) and (2), all in violation of Title 21,

United States Code, Section 846, a Class C Felony (Count Two).

2. On December 10, 2009, defendant entered a guilty plea to Count Two of the indictment before District Judge Scott Wright.

3. On September 8, 2010, defendant was sentenced by District Judge Scott Wright under Count Two of the Indictment.

4. Under the Plea Agreement filed with the court, the Government agreed to move to dismiss Count One.

The United States therefore moves to dismiss Count One of the Indictment.

Respectfully submitted,

Beth Phillips
United States Attorney

By */s/ Bruce Rhoades*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on October 20, 2010, to the Electronic Filing System (CM/ECF) of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Bruce Rhoades

Bruce Rhoades
Assistant United States Attorney

BR:jf