

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

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 11-00157-CR-W-SOW
	)	
TONY P. CASTRO,	)	
	)	
Defendant.	)	

UNOPPOSED MOTION TO CONTINUE THE TRIAL SETTING  
TO THE AUGUST REGULARY SCHEDULED CRIMINAL  
DOCKET WITH SUGGESTIONS IN SUPPORT

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**COMES NOW**, defendant Tony P. Castro and hereby moves the Court to continue the trial of this matter to the regularly scheduled August trial docket. As grounds, defendant submits:

1. Defendant hereby moves the Court to continue this matter to the August regular criminal docket. This matter is set for the current July docket. Defendant was scheduled for change of plea but did not appear on the scheduled date or at his scheduled trial which would have otherwise commenced today.
2. It is still defendant's intent to tender a plea of guilty. It is anticipated that he will be in custody shortly and the matter can be reset

immediately for change of plea.

3. AUSA Ambrose is not opposed to this request and is aware of the current situation and is still agreeable to disposition by plea agreement assuming it is done forthwith.
4. Counsel submits that the matter must be continued with delay chargeable to defendant under the provisions of Title 18, United States Code, Section 3161(h)(8)(B), in that trial on the current setting is impossible and cannot commence in his absence given the totality of the circumstances and the fact that defendant is not presently in custody.

**WHEREFORE**, defendant moves the court to strike this matter from its current July setting and continue it to the August regularly scheduled criminal trial docket.

/s/

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Counsel for TONY P CASTRO

CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been caused to be served on the Assistant United States Attorney for Western District of Missouri and other ECF listed counsel through use of the Electronic Court Document Filing System on July 9, 2012.

/s/

JOHN R. OSGOOD