

**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.)	

**DEFENDANT’S MOTION TO WITHDRAW HIS GUILTY
PLEA WITH SUGGESTIONS IN SUPPORT**

COMES NOW Defendant Tony Castro and moves for leave to withdraw his previously tendered guilty plea to Conspiracy to distribute 500 grams or more of controlled substance which offense provides for a mandatory minimum of 10 years incarceration. As grounds, defendant states:

1. This matter was set for sentencing on this date; however, the parties after further negotiations and discussion determined that the ends of justice would best be met by allowing defendant to withdraw his plea and commence proceedings anew.
2. Government Counsel does not oppose this motion.

WHEREFORE, defendant moves the court to set aside his previously tendered plea of guilty and set this matter for trial on the March 2013 criminal trial docket in anticipation of probable disposition prior to the March date.

/s/

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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 Wednesday, August 03, 2011.

/s/

JOHN R. OSGOOD