

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

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 v. ) Case No. 10-00320-07/19-CR-W-DGK  
 )  
 )  
 )  
 MUHAMMAD ROLLIE, )  
 )  
 Defendant. )

**MOTION FOR SENTENCING HEARING**

COMES NOW the Defendant, Muhammad Rollie by and through undersigned appointed Counsel F.A. White Jr. and moves this Court for its order setting the sentencing hearing in this matter at the soonest possible date. In support of said motion the defendant alleges and states as follows:

**SUIGGESTIONS IN SUPPORT**

1. That the defendant was charged in a conspiracy to distribute cocaine base in violation of 21 U.S.C. § 841 (a)(1),(b)(1)(C) and 846, a class “C felony. The defendant was originally arrested on March 21, 2011, was ordered detained and has been in continuous custody since that date.

2. That on September 24, 2012, the defendant entered a plea of guilty to count I of the three count of the indictment; after said plea the Court entered an order requesting the United States Probation Office to prepare a Presentence Report which has been prepared.

3. That the final of that report has been filed with the Court and indicates no objections by the parties to the contents of the report including its suggestion that the total offense level in the case would be a level 25 and that the defendant's Criminal History Category would be I, there being no criminal history points.

4. That it would therefore appear that there would be no issues at sentencing that would involve more than argument by the parties and thus the sentencing hearing should be a relatively easy process.

5. That the situation in this case in addition to the defendant's having been in custody for such a lengthy period has been complicated by the fact that one of the co-defendants in the case has been required to be appointed substitute counsel who is now coming into this case and basically starting over and that accordingly the matter has not been set for trial until it is believed the spring of 2013 at the earliest.

6. That although the undersigned understands the Court's typical belief that it is more prudent to not sentence anyone in a multi-defendant case until all defendants are ready for sentencing, it would submit that this case presents a unique problem given circumstances totally beyond the control of Mr. Rollie especially given the fact that he has been in a county jail custodial setting for such a substantial period of time.

7. That the undersigned has not contacted Bruce Rhoades, Assistant United States Attorney in this case to determine the government's position but it is understood from another similar filing that Mr. Rhoades and the government would most likely be taking no position on this request.

WHEREFORE the defendant through undersigned counsel moves the Court for its order setting the sentencing for this matter on the next available date convenient to the Court.

Respectfully Submitted,

/s/ F.A. White Jr.

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ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that on December 18, 2012, I electronically filed the foregoing with the Clerk of the Court using CM/ECF system which sent notification of such filing to all counsel of record.

/s/ F.A. White Jr.

F. A. White, Jr.