

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

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 10-00320-02-CR-W-DGK
	)	
DAVID HERNANDEZ-MONTOYA	)	
	)	
Defendant.	)	

**MOTION FOR EXTENSION OF TIME**  
**TO FILE OBJECTIONS TO PRELIMINARY PRESENTENCE REPORT**

COMES NOW Defendant, David Hernandez-Montoya, by and through counsel, Kenton M. Hall, and respectfully requests the Court to extend the deadline within which to file objections to the pre-sentence investigation report (PSR) in this case for a period of ten (10) days, or until January 17, 2013. In support, defendant submits the following suggestions:

1. Defendant received the preliminary PSR on December 19, 2012 via email sent to defendant's counsel. Objections were due no later than January 7, 2013. Sentencing has not yet been scheduled.

2. Defendant requests additional time for the following reason: Counsel for defendant recently relocated his law office to a new address, 926 Cherry Street in Kansas City, Missouri 64106. Counsel met with his client at CCA in Leavenworth, Kansas on January 4, 2013 and discussed potential objections to the preliminary PSR. Several potential objections have been identified. However, due to the press of business involved with relocating office as well as the holidays, during which time counsel was out of town, counsel needs additional time to review file information, research and draft objections to the PSR.

4. Counsel has advised the Assistant U.S. Attorney, Bruce Rhoades, of this request and there is no objection.

**WHEREFORE** Defendant respectfully requests that the deadline to file objections to the preliminary PSR be re-opened and extended to January 17, 2013 in order to provide an opportunity to prepare and file objections.

Respectfully submitted,

/s/ Kenton M. Hall  
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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that the foregoing motion for extension of time to file objections to PSR was served on counsel for the United States and all parties via electronic notification pursuant to local rule on this 7<sup>th</sup> day of January, 2013.

/s/ Kenton M. Hall  
ATTORNEY FOR DEFENDANT