

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Criminal Action No. 10-00320-12-CR-W-DGK
)
 DESHAUN L. CERUTI,)
)
 Defendant.)

MOTION FOR LEAVE TO FILE PRETRIAL MOTION OUT OF TIME

COMES NOW Defendant DeShaun L. Ceruti, by and through counsel, and, moves this Court for an Order permitting him to file a pretrial motion out of time. In support thereof, Mr. Ceruti shows the Court:

1. The Court granted his Motion to Suppress Evidence at the end of October, 2011.
2. Mr. Ceruti believed thereafter that the Government would dismiss this cause based upon the suppression of evidence; however, Mr. Ceruti has learned that the Government plans to proceed.
3. Mr. Ceruti then is seeking relief from the Court; the anticipated motion is attached as an exhibit herein. *See Exhibit.*
4. Mr. Ceruti requests this extension in the interests of fairness and justice and does not intend to cause unnecessary delay.
5. Defense counsel has not received a response from the Assistant United States Attorney regarding this request.

WHEREFORE, Mr. Ceruti prays the Court will grant his Motion and order any further relief it finds fair and just.

Respectfully submitted,

/s/ Kelly M. Connor-Wilson

Kelly M. Connor-Wilson, KS-000362

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Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing Motion was served on AUSA Bruce Rhoades and all defense attorneys of record by CM/ECF this 27th day of December, 2011.

/s/ Kelly M. Connor-Wilson

Kelly M. Connor-Wilson