

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

**UNITED STATES,
PLAINTIFF**

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NO. 10-00320-CR-W-DGK

V.

**MOHAMMAD ROLLIE,
DEFENDANT**

MOTION FOR LEAVE TO FILE MOTION OUT OF TIME

COMES NOW Defendant Mohammad Rollie, by and through counsel, and moves this Court for an Order allowing him to file a pre-trial motion out of time and in support thereof states.

1. On July 27, 2011 a hearing was held on Defendant's Motion to Suppress which had been filed on June 15, 2011.
2. Defendant was represented at that hearing by Michael Barrera.
3. On September 27, 2011, Mr. Barrera filed a Motion to Withdraw and undersigned counsel was appointed to represent Defendant.
4. On January 16, 2012 a Report and Recommendation was filed recommending that the Motion be denied.
5. On February 15, 2012 the District Court issued its Order denying the Motion to Suppress.
6. Defendant now wants to file his Motion to Sever which is attached as an exhibit.
7. Assistant United States Attorney Bruce Rhoades is aware that Defendant will be filing these Motions.

8. This request is made in the interest of justice and is not made vexatiously or to cause unjust delay.

WHEREFORE Defendant prays the Court to grant this Motion and allow Defendant to file his Motion to Sever out of time.

Respectfully submitted,

/s/ Kurt Marquart
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ATTORNEY FOR DEFENDANT ROLLIE

CERTIFICATE OF SERVICE

I hereby certify that on February, 24, 2012 I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send notice of electronic filing to all parties of record herein.

/s/Kurt Marquart
Kurt Marquart