

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 10-00320-18-CR-W-DGK
	)	
MARGOT CHARLENE DAVIDSON	)	
	)	
Defendant.	)	

**GOVERNMENT'S MOTION TO SEVER SINGLE DEFENDANT DAVIDSON**

The United States of America requests the Court sever from the remaining defendants in the above styled cause of action single Defendant Davidson and in support states as follows.

1. Single Defendant Davidson, defendant 18 of 19 defendants charged together in the above styled cause of action, is charged in Count One of the Indictment with participating with at least one other person in a conspiracy to distribute more than 100 kilos of marijuana in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(B) and 846 and in Count Two of the Indictment with participating with at least one other person in a conspiracy to launder money in violation of Title 18, United States Code, Sections 1956(a)(1)(A)(i) and (h).

2. Federal Rules of Criminal Procedure, Rule 14, governs the severance of defendants in a single indictment. The Court is afforded discretion on matters of joinder and severance. *Zafiro v. United States*, 506 U.S. 534, 541 (1993); *United States v. Shivers*, 66 F.3d 938, 939 (8th Cir.), *cert. denied*, 516 U.S. 1016 (1995).

3. Based on a variety of factors, not the least of which is the current personal situation of single Defendant Davidson's appointed counsel, it is the Government's position that a separate trial of single Defendant Davidson would "... provide ... relief that justice requires."

Federal Rules of Criminal Procedure, Rule 14(a).

4. In the event this motion is granted; in light of the pending trial date on October 22, 2012, for the remaining defendants in the above styled cause of action; due to some of the very factors leading to this request for severance, and; the fact the Davidson is not in custody, counsel for Davidson and the Government request single Defendant Davidson's severed case be continued until the April 22, 2013, trial docket. Both counsels recognize and request that the time between the current trial date of October 22, 2012, and the new trial date of April 22, 2013, be exempted for speedy trial purposes.

5. In recognition of judicial economy, counsel for Davidson and the Government have elected to *not* file separate motions requesting this same relief. Single Defendant Davidson's counsel joins the Government in these requests.

Wherefore, based on the foregoing, counsel for Davidson and the Government request the Government's motion for severance of single Defendant Davidson be granted and Davidson's now separate trial be continued until the April 22, 2013, trial docket.

Respectfully submitted,

David M. Ketchmark  
Acting United States Attorney

By */s/ Bruce Rhoades*

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on this 10<sup>th</sup> day of October 2012, to the Electronic Filing System (CM/ECF) of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

*/s/ Bruce Rhoades*

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Bruce Rhoades  
Assistant United States Attorney