

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

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
 vs.) Case No. 4:09-CR-121-DGK
)
BELINDA HEASTAN,)
)
 Defendant,)

MOTION FOR CONTINUANCE

COMES NOW Defendant Belinda Heastan, by and through counsel Christopher J. Angles, and in accordance with Rule 47 of the Federal Rules of Criminal Procedure, moves the Court pursuant to 18 U.S.C. §3161(h)(8)(A), to remove and continue this case from the trial docket scheduled for January 11, 2010 and the pretrial docket of December 21, 2009 at 10:00am.

Suggestions in Support of Motion for Continuance

1. Belinda Heastan was originally represented in this case by Kelly McCambridge. Undersigned has just been retained.
2. This case carries a mandatory minimum of 10 years if convicted. Discovery is voluminous. The undersigned counsel cannot be prepared for trial by January 11, 2010.
3. Undersigned has discussed this continuance with Assistant United States Attorney Bruce Rhoades. The government

does not object to this request. Counsel have discussed the possibility of trial of an April, 2010 trial date. Counsel for the codefendants in this case have provided their positions on this request:

- Defendant Gardner has plea date and has no objection (Cindy Dodge);
- Defendant Danny Ray Hughes has no objection to a continuance but is unavailable in April (Al White);
- Defendant Nathan McKee has no objection (Melanie Morgan).
- Defendant Ernest Sneddon has a plea date and has no objection (John Gromowsky);
- Defendant Leatha Gutierrez has no objection (Tony Miller);
- Defendant Kayla Rose has no objection (John Osgood); and
- Defendant Bruce Bish has no objection (Phil Gibson).

4. A continuance is sought not for the purpose for dilatory delay, but is sought in truth and fact that Ms. Heastan be afforded due process of law under the Fifth Amendment of the United States Constitution and effective assistance of counsel under the Sixth Amendment of the United States Constitution. In accordance with 18 U.S.C. §3161(h)(8)(A) it is submitted that the above stated reasons outweigh the best interests of the public and Ms. Heastan to a speedy trial which is required by 18 U.S.C. §3161(c)(1).

7. Under the provisions of 18 U.S.C. §3161(h)(8)(A), the period of time until the next criminal trial docket should be excluded in computing the period of time in which defendant

should be brought to trial under the provisions of the speedy trial act.

WHEREFORE, defendant Belinda Heastan respectfully requests that this Court remove this case from the trial docket scheduled for January 11, 2010, and continue this case to the April, 2010 trial docket.

Respectfully submitted,

The Angles Law Firm, LLC

By /s/Christopher J. Angles

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed with the clerk of the court on this 18th of December, 2009 for delivery to AUSA Bruce Rhoades, Assistant United States Attorney, Charles Evans Whittaker Courthouse, 400 East 9th Street, Suite 5510, Kansas City, Missouri 64106 and all counsel of record.

 /s/Christopher J. Angles