

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,)	

UNOPPOSED 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, 2011.

Suggestions in Support of Motion for Continuance

1. Heastan faces at least 10 years in prison if convicted of the offenses alleged in the indictment.
2. While on bond, Heastan has been charged in Buchanan County in 10BU-CR2060 with Possession of a Controlled Substance (Class C felony) and in 10BU-CR2033 with Forgery (Class C felony). She was held in custody on those charges, but has recently been returned to Caldwell County Jail on a federal writ. These new charges have disrupted the defense and impacted

how the case will be resolved. More time is needed for undersigned to effectively represent Heastan to achieve the desired and likely non-trial outcome.

3. AUSA Bruce Rhoades and Jackie Rokusek, counsel for remaining co-defendant Lara-Ruiz, have no objection to this request. Further, the parties ask that if a continuance is granted, the case be set on the May, 2011 docket for the reason that each counsel has numerous trials set and cannot be ready before that time.

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).

5. 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, 2011, and continue this case to the May, 2011 trial docket.

Respectfully submitted,
The Angles Law Firm, LLC

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was electronically filed with the clerk of the court on this 2nd day of December 2010 for delivery to all interested parties.

/s/Christopher J. Angles