

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

UNITED STATES OF AMERICA,)
)
) Plaintiff,)
v.) Case No. 09-00121-01-CR-W-DGK
)
GILBERTO LARA-RUIZ,)
)
) Defendant.)

**MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS
TO THE PRELIMINARY PRESENTENCE INVESTIGATION REPORT**

COMES NOW the defendant by his court-appointed attorney and moves the Court to extend the time within which to file objections to the preliminary presentence report (PSR), in support of which motion defendant states as follows:

1. Defendant was found guilty by a jury of possessing (Count 14) and using (Count 15) a firearm in furtherance of a drug-trafficking crime and faces a 30-year sentence under the calculations contained in the preliminary PSR.
2. Objections to the PSR are scheduled to be made no later than August 17, 2011.
3. Instant counsel was appointed in substitution for trial counsel on August 3, 2011, to represent the defendant and, lacking the information necessary to appraise the PSR, needs more time to obtain the information necessary to protect and to preserve defendant's rights to due process at sentencing.
4. Undersigned counsel is currently of the opinion that extending the time within which to file objections to the PSR to August 31, 2011, should suffice.
5. AUSA Bruce Rhoades has recognized instant counsel's information disability and has advised that the government has no objections to an extension of time to file objections to the PSR.

WHEREFORE, in the premises, defendant requests that the time within which to file objections to the preliminary PSR be extended to August 31, 2011.

Respectfully submitted,

/s/ Cenobio Lozano, Jr.
Cenobio Lozano, Jr. MOBar #21320
3001 N. State Route 291, Suite 10
Harrisonville, MO 64701
(816) 380-5521 Fax: (816) 380-2461
clozano380@gmail.com
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on August 8, 2011, I electronically filed the foregoing motion with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following attorney of record:

AUSA Bruce Rhoades
Attorney for Plaintiff

/s/ Cenobio Lozano, Jr.
Cenobio Lozano, Jr.