

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

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

**DEFENDANT’S SECOND MOTION TO EXTEND THE TIME  
TO FILE HIS OBJECTIONS TO THE PRESENTENCE REPORT**

COMES NOW the defendant for the second time to request the Court to extend the time for filing objections to the preliminary presentence investigation report (PSR), in support of which defendant states:

1. The undersigned was appointed as substitute for trial counsel to represent defendant at sentencing upon conviction after trial for possessing (Count 1) and using (Count 2) a firearm in furtherance of a drug trafficking crime in violation of 18 U.S.C. § 924(c)(1).
2. According to the preliminary PSR, defendant is facing terms of imprisonment of 30 years consecutive to the 87-month sentence he received on February 5, 2008, in Case No. 07-04002-01-CR-C-SOW.
3. On August 8, 2011, this Court granted defendant leave through August 31, 2011, within which to file objections to the PSR.
4. But upon review of the filed pleadings and interview of the defendant, the undersigned finds them insufficient to appraise defendant’s sentencing considerations, concludes that the trial transcript is required for this purpose, and on this date has ordered the same by Form CJA-24.

5. However, Court Reporter Reggie McBride advises that she cannot complete preparing the transcript before September 7, 2011.

6. Upon cautious consideration the undersigned believes that an extension of time to September 28, 2011, should suffice for PSR objection purposes.

7. AUSA Bruce Rhoades has advised that the government has no objection to a second extension of time within which to file objections to the PSR.

WHEREFORE, in the premises, defendant requests leave of Court to extend the time within which to file objections to the preliminary presentence investigation report to September 28, 2011.

Respectfully submitted,

/s/ Cenobio Lozano, Jr.  
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CERTIFICATE OF ELECTRONIC FILING

I hereby certify that a copy of the foregoing motion was electronically delivered to all parties via the Court's CM/ECF system, on August 15, 2011, and especially to:  
**AUSA Bruce Rhoades**, 400 East 9<sup>th</sup>, Fifth Floor, Kansas City, MO 64106, Attorney for Plaintiff.

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