

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	Case No. 09-00121-08-CR-W-DGK
	)	
ERNEST HAROLD SNEDDON,	)	
	)	
Defendant.	)	

**MOTION TO CONTINUE TRIAL SETTING**

COMES NOW Ernest Harold Sneddon (hereinafter “defendant”), by and through appointed counsel, and pursuant to Rule 47, Fed. R. Crim. P., and Rule 7.1(b) and (c) of the Local Rules of Procedure for the United States District Court for the Western District of Missouri, and moves this Honorable Court to continue this case from the joint criminal jury trial docket scheduled to commence on June 8, 2009, in support of which is offered the following:

1. Defendant is charged by way of an April 9, 2009, indictment with one count of conspiracy to distribute a controlled substance, in violation of 21 U.S.C. §846; and with two counts of conducting financial transactions with proceeds of an unlawful activity, in violation of 18 U.S.C. §1956.
2. Defendant was arraigned on May 7, 2009.
3. This matter is currently set on the June 8, 2009, joint criminal jury trial docket.
4. Counsel for defendant is specially set for trial on the June 8, 2009, docket in the multi-defendant case *United States v. Eneff* (Case No. 07-00200-01-CR-W-FJG), which is expected to last more than one week.
5. Counsel for defendant requires additional time to meet with defendant to discuss the allegations against him, review discovery, and investigate potential defenses.

6. Counsel for defendant has consulted with Assistant United States Attorney Bruce Rhoades, and AUSA Rhoades suggested that it would be appropriate to continue this matter to the November 2, 2009, docket, in that previously arraigned co-defendants have already had the case continued to that docket. Counsel for defendant has no objection to placing this matter on the November 2, 2009, docket.

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

8. 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 the defendant should be brought to trial under the provisions of the Speedy Trial Act.

WHEREFORE, defendant Ernest Harold Sneddon respectfully prays that this Honorable Court remove this case from the joint criminal jury trial docket scheduled to commence June 8, 2009, and continue it until a trial docket scheduled to commence on November 2, 2009.

Respectfully Submitted,

/s/ John G. Gromowsky  
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ATTORNEY FOR DEFENDANT

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served electronically via the Court's CM/ECF Filing System, this 20th day of May, 2009, upon the following:

Bruce Rhoades  
Assistant United States Attorney  
Charles Evans Whittaker Courthouse  
400 East 9th Street, Fifth Floor  
Kansas City, Missouri 64106  
ATTORNEY FOR PLAINTIFF

with courtesy copies served upon counsel for all parties.

/s/ John G. Gromowsky  
Attorney for Defendant