

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 09-00112-01-CR-W-ODS
)	
CLIFTON D. TAYLOR,)	
)	
Defendant.)	

MOTION FOR CONTINUANCE
WITH SUGGESTIONS

COMES NOW the defendant, Clifton D. Taylor, by and through his counsel, Travis D. Poindexter, Assistant Federal Public Defender for the Western District of Missouri, in accordance with 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 Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence June 8, 2009, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence on August 24, 2009.

SUGGESTIONS IN SUPPORT OF MOTION FOR CONTINUANCE

1. On March 13, 2009, a Criminal Complaint was filed in the Western District of Missouri charging defendant with one count of bank robbery in violation of 18 U.S.C. § 2113(a).
2. That same day, the Federal Public Defender's Office was appointed to represent Mr. Taylor.
3. On March 18, 2009, defendant appeared before the Honorable Robert E. Larsen,

United States Magistrate Judge for preliminary and detention hearings. After hearing evidence and argument, the Court found probable cause and Ordered that Mr. Taylor be detained.

4. On April 8, 2009, defendant was charged by Indictment with one count of bank robbery.

5. On April 15, 2009, defendant appeared for an arraignment and entered a plea of not guilty through counsel.

6. To date, counsel has received discovery that includes:

- a. Investigative narratives from the F.B.I;
- b. Investigation reports from the Kansas City, Missouri Police Department;
- c. Narrative of statements made by Mr. Taylor; and
- d. Copy of 911 recordings.

7. The Government has indicated that additional discovery is forthcoming including forensic examination reports. Further investigation is required and additional defense witnesses must be located and interviewed. Counsel will also need time to thoroughly review evidence and adequately discuss the case with Mr. Taylor. Defendant has not filed a previous continuance motion.

8. Leena Ramana, Special Assistant United States Attorney, has indicated that she has no objection to this continuance request.

9. This 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 Amendment 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).

10. 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, the defendant, Clifton D. Taylor, respectfully requests this Court, pursuant to 18 U.S.C. §3161(h)(8)(A) and (B), to remove this case from the Accelerated Joint Criminal Trial Docket scheduled to commence June 8, 2009, and to continue this case until the Accelerated Joint Criminal Trial Docket scheduled to commence on August 24, 2009.

Respectfully submitted,

/s/ Travis D. Poindexter
TRAVIS D. POINDEXTER
Assistant Federal Public Defender
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Kansas City, MO 64106
(816) 471-8282

ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

In accordance with Rule 49(a), (b) and (d), Fed. R. Crim. P., and Rule 5(b), Fed. R. Civ. P., it is hereby CERTIFIED that on May 12th, 2009, one copy of the foregoing motion was electronically delivered to Leena Ramana, Special Asst. U.S. Attorney, 400 E. 9th, Kansas City, MO 64106.

/s/ Travis D. Poindexter
Travis D. Poindexter