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

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

UNITED STATES' RESPONSE TO DEFENDANT'S MOTION TO CONTINUE

Comes now the United States of America, by and through the undersigned Assistant
United States Attorney for the Western District of Missouri, and respectfully submits the
following suggestions in response to Defendant Taylor's oral motion for a continuance of trial.

Defendant Taylor was arrested on March 12, 2009, and was charged on the following day with one count of robbing the Central Bank of Kansas City. On May 12, 2009, the defense moved to continue his case, which is now set to begin on Tuesday, January 19, 2010. The government has made all of its discovery open to the defense from the beginning of the case. With trial finally approaching, and the government's extensive witness preparation substantially completed, the defendant has recently requested to waive his Sixth Amendment rights, terminate his counsel Travis Poindexter, and instead proceed as his own counsel. Today the parties had a hearing on the *pro se* motion and to discuss security issues regarding the trial. During the hearing, Taylor made an oral motion for an additional continuance of his trial. The government expressed that it opposes that request. The government is assembling available paper discovery for the defendant for him to take with him today. The government is following up today to provide discovery regarding the second Central Bank robbery that the defendant asked about at

the hearing today. The case against Taylor is straightforward, and while the defendant may not have had a personal copy of it, the defendant has been aware of, and has had access to, the discovery for almost ten months.

The United States is ready for trial on Tuesday, along with the 37 witnesses on its witness list (although the government expects to actually call approximately 20 witnesses). But the government was not in a position to advise the court of conflicts regarding upcoming trial dockets. After reviewing calendars, the undersigned realizes that he is scheduled to be at a Securities Fraud conference in Utah the week before the first week of the February trial docket, and is intending to stay on vacation through the weekend, with a late return flight on President's Day. Case agent Michael Mrachek is scheduled to be out of state on vacation during the same period. For those reasons, if the court is inclined to grant defendant Taylor's request for an additional continuance, and if it is convenient for the court to accommodate, the United States respectfully requests that the court set the trial on either the second week of the February docket (February 22, 2010) or on either week of the trial docket beginning March 22, 2010.

Respectfully submitted,

Beth Phillips United States Attorney

By: /s/ Daniel M. Nelson

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on January 11, 2010, to the CM-ECF system of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

/s/ Daniel M. Nelson

Daniel M. Nelson Assistant United States Attorney