

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 08-00026-02-CR-W-FJG
)	
CYNTHIA MARTIN,)	
)	
Defendant.)	

**DEFENDANT CYNTHIA MARTIN'S
MOTION FOR CONTINUANCE**

COMES NOW defendant, Cynthia Martin, by and through her counsel of record, pursuant to Rule 12 of the Federal Rules of Criminal Procedure, and hereby respectfully moves the Court for a continuance of the trial setting in this matter to the joint criminal trial docket on September 29, 2008. This matter is currently set on the March 17, 2008, criminal docket. As grounds for this Motion, counsel submits the following Memorandum in Support:

MEMORANDUM IN SUPPORT

1. The defendant is charged in six counts of a 24-count indictment containing a forfeiture allegation, with conspiracy to distribute controlled substance in violation of 21 U.S.C. § 841(a)(1), conspiracy to commit promotional/concealment money laundering in violation of 18 U.S.C. § 1956(h), four counts of concealment money laundering in violation of 18 U.S.C. § 1956(a)(1)(B)(I), and a forfeiture allegation pursuant to 21 U.S.C. § 853. On February 21, 2008, Ms. Martin appeared and was released on an ROR bond.

2. The charges in this case involve complicated issues of law and fact and name multiple defendants. The defendant and her counsel have not yet been provided the discovery for review in this matter. In addition, Ms. Martin has recently undergone surgery and is unavailable to adequately participate in her defense for a trial set to begin in March.

3. Defendant Martin acknowledges and waives her right to a speedy trial. A signed affidavit waiving these rights under the Speedy Trial Act will be filed under separate notice as soon as she is able to meet with counsel following her surgery and recovery.

4. This motion is not made to harass this court, and it is in the interests of justice that it be granted in that the ends of justice served by the granting of such continuance outweigh the best interests of the public and the defendants in a speedy trial pursuant to 18 U.S.C. § 3161(h)(8). Assistant United States Attorney Rudolph Rhodes, Curtis Hanrahan, counsel for defendant Rostie and John Osgood, counsel for defendant Elder, have indicated no objection to the granting of this motion. Defendants Solomon and Johnson have not yet appeared in Court on the indictment.

WHEREFORE, the defendant, Cynthia Martin, by and through counsel, respectfully files this motion to continue the trial setting from its current setting of March 17, 2008, to the joint criminal docket on September 29, 2008.

Respectfully submitted,

WYRSCH HOBBS & MIRAKIAN, P.C.

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ATTORNEYS FOR DEFENDANT MARTIN

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 3rd day of March 2008, the foregoing was electronically filed with the Clerk of the Court using the CM/ECF system which sent notification of such filing to all counsel of record.

/s/ James R. Hobbs

Attorney for Defendant Martin

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