

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No. 08-00026-03, 05-CR-W-FJG
)	
TROY R. SOLOMON, and)	
DELMON L. JOHNSON,)	
)	
Defendants.)	

**MOTION FOR LEAVE TO FILE OUT OF TIME AND
AN EXTENSION OF TIME IN WHICH TO FILE
GOVERNMENT’S RESPONSE TO DEFENDANTS SOLOMON’S
AND JOHNSON’S JOINT SECOND AMENDED MOTION TO TRANSFER**

The plaintiff, the United States of America, appears by John F. Wood, United States Attorney, and Rudolph R. Rhodes, IV, Assistant United States Attorney, both for the Western District of Missouri, and requests leave to file out of time and a 14-day extension of time in which to file the government’s response to defendants Troy Solomon’s and Delmon Johnson’s Joint Second Amended Motion to Transfer Venue and Sever. The government offers the following suggestions in support of this request:

1. Defendants Troy Solomon and Delmon Johnson filed a Joint Second Amended Motion to Transfer Venue and Sever (Doc. No. 175) on January 15, 2009;
2. The government's response to the defendants’ joint motion was due to be filed with this Court on January 27, 2009. The government is requesting leave to file out of time and a 14-day extension until February 10, 2009, in which to file its response;
3. No previous extensions have been requested and/or granted;
4. The undersigned counsel for the government needs an extension of time in which to prepare the response because the undersigned counsel needs additional time to

prepare a response; because undersigned counsel had to file a written response in *United States v. Christopher L. Elder*, No. 08-00026-04-CR-W-FJG; and because undersigned counsel has to file a written response in *United States v. Joshua P. Randolph*, No. 08-00142-01-CR-W-SOW; and

5. Accordingly, the government is requesting a 14-day extension of time in which to respond to defendants Solomon's and Johnson's joint motion.

WHEREFORE, for these reasons, the government respectfully requests a 14-day extension of time up to and including February 10, 2009, in which to file the government's response to defendants Solomon's and Johnson's Joint Second Amended Motion to Transfer Venue and Sever.

Respectfully submitted,

John F. Wood
United States Attorney

By: /s/ **Rudolph R. Rhodes, IV**

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RRR:rp

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on February 2, 2009, 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.

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/s/ Rudolph R. Rhodes, IV

Rudolph R. Rhodes, IV
Assistant United States Attorney