

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	No. 08-00026-01-CR-W-FIG
Plaintiff,	)	
	)	
Vs.	)	
	)	
<b>MARY LYNN ROSTIE,</b>	)	
	)	
Defendant.	)	

**MOTION TO CONTINUE SENTENCING**  
**OF MS. LYNN ROSTIE**

**COMES NOW, DEFENDANT, MARY LYNN ROSTIE**, through counsel of record, Ms. Georgia Mathers and due to circumstances beyond the Defendant’s control, respectfully requests to continue the current sentencing date of April 5, 2011. A later date will allow the Court to have all relevant information at the sentencing hearing. This request is not for vexatious delay but, rather due to Defendant's current medical condition. The sentencing report describes Defendant's medical condition, *at the time of the report*, however, more serious medical diagnosis and problems have arisen since the report was completed.

Defendant is undergoing an MRI of her thoracic and cervical spinal areas on Friday April 1, 2011, and also an ophthalmologist evaluation the same date due to continuing medical conditions. The Defendant is currently prescribed a narcotic pain patch for severe pain but, has begun experiencing "breakthrough" pain and the

doctors are trying to ascertain if further surgery could be beneficial; while weighing the risks of a stroke caused by DVT during any such procedure. The Defendant has been told that it shouldn't take very long for a report from the MRI to be sent to her treating physician.

The treating physician is also preparing a letter which counsel intends to submit as part of a sentencing memorandum to seek a sentence below the recommended guidelines. Per the Defendant's conversations with staff at the physician's office, the letter has been completed by the physician but has yet to be forwarded to counsel or Defendant.

A.U.S.A. Rhodes does not oppose this request as long as the sentence is carried out prior to the date of the 22nd of April. Mr. Rhodes is available the 14th or 15th of April, if the Court can accommodate the Government. Counsel for Defendant will re-arrange any scheduling conflict that might arise in order to bring this matter to an end as expeditiously as possible.

WHEREFORE, DEFENDANT respectfully requests the Court to vacate the previously set date for sentencing and to re-schedule at a time most convenient for the Court and Government.

Respectfully,

Georgia Mathers /s

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