

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
v.)	Case No. 08-00026-04-CR-W-FJG
)	
CHRISTOPHER L. ELDER,)	
)	
Defendant.)	

**MOTION FOR LEAVE TO FILE OUT OF TIME AND
AN EXTENSION OF TIME IN WHICH TO FILE
GOVERNMENT’S RESPONSE TO DEFENDANT ELDERS’
MOTION FOR A BILL OF PARTICULARS**

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 defendant Elder’s motion for a bill of particulars. The government offers the following suggestions in support of this request:

1. Defendant Christopher L. Elder filed a Motion for a Bill of Particulars and Notice of Alibi Defense on June 9, 2008;¹
2. On June 16, 2008, thirteen (13) pretrial motions were filed by his co-defendants (Doc. Nos. 57-64, and 67-70);
3. Two of the thirteen pretrial motions filed June 16, 2008, are motions for a bill of particulars;

¹ The official record in this case shows that the document was filed electronically on Saturday, June 7, 2008, at 9:15 p.m.

4. The government's responses to defendant Elder's motion was due to be filed with this Court on June 23, 2008. The government is requesting leave to file out of time and a 14-day extension until July 7, 2008, in which to file its response;

5. No previous extensions have been requested and/or granted;

6. 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 determine whether a consolidated response to discovery issues can be prepared to address those defendants moving for a bill of particulars, and to prepare such a response; and

7. Accordingly, the government is requesting a 14-day extension of time in which to respond to defendant Elder's discovery motion.

WHEREFORE, for these reasons, the government respectfully requests a 14-day extension of time up to and including July 7, 2008, in which to file the government's response to defendant Elder's motion for a bill of particulars.

Respectfully submitted,

John F. Wood
United States Attorney

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

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RRR:jf

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on June 25, 2008, 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