

**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 FOR AN
EXTENSION OF TIME IN WHICH TO FILE GOVERNMENT'S
RESPONSE TO DEFENDANT'S MOTION IN LIMINE TO
PRECLUDE TESTIMONY OF A GOVERNMENT'S HANDWRITING EXPERT**

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 an extension of time in which to file the Government's response to Elder's motion in limine to preclude testimony of a government's handwriting expert. (Doc. 50.) The Government offers the following suggestions in support of this request:

1. On May 15, 2008, the Government filed a motion for Elder to provide exemplars of handwriting;
2. In response, Elder filed an answer to the Government's motion and a motion in limine seeking to preclude testimony of a government's handwriting expert on May 18, 2008;
3. The court granted the Government's motion and Elder subsequently provided handwriting exemplars;
4. A new report regarding the handwriting analysis will be produced by the Government's handwriting expert. At this time, the Elder's motion in limine is premature.

The Government is requesting leave to file out of time and an extension of time until the new report has been supplied;

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 can only properly respond based on the new report; and

7. Accordingly, the Government is requesting an extension of time in which to respond to Elder's motion in limine.

WHEREFORE, for these reasons, the Government respectfully requests an extension of time, in which to file the Government's response to Elder's motion in limine.

Respectfully submitted,

John F. Wood
United States Attorney

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

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on July 16, 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
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