

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

UNITED STATES OF AMERICA,  
Plaintiff,

v

Case No. 10-00162-FJG

ALFONSO VELO,  
Defendant.

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**MOTION TO CONTINUE JURY TRIAL AND SUGGESTIONS IN SUPPORT**

COMES NOW the defendant Alfonso Velo by and through his attorney Melanie S. Morgan and moves this Court for an Order removing this case from the August 2010 trial docket and continuing it until the February 2011 trial docket. In support thereof, the following suggestions in support are offered:

1. Mr. Velo is one of 23 defendants charged in a 17 count Superseding Indictment alleging various violations of the Controlled Substances Act. He has been detained since his arrest on June 9, 2010 and will be detained pending the outcome of this case.
2. Preliminary information from the government's attorney suggests that discovery in this matter is voluminous and is in the process of being reproduced for defense counsel by IVIZE. Additionally, a wiretap is involved with hundreds of hours of recorded conversations.
3. Defense counsel has reached out to the government and all defense counsel regarding a potential trial date. All counsel with the exception of the following listed counsel and their clients have consented to the February docket:

<u>Attorney</u>	<u>Client</u>	
Cornwell	Nevarez	
Dodge	Johnson	Unavailable February, available in April
Pettlon	Carter	
Sandage	White	Is meeting with client and will alert the court as to client's position
Reed	Cain	

4. Counsel has also talked with her client regarding this request and he is in agreement.
5. Given the volume of discovery and the number of defendants in this case, counsel is requesting this matter be continued until the February docket so that she has enough time to review the discovery, conduct whatever independent investigation may be necessary, prepare, file and litigate pretrial motions and ultimately prepare for trial. This request is made in order to provide defense counsel the reasonable time necessary for effective preparation as guaranteed under the Sixth Amendment and taking into consideration due diligence of counsel. Pursuant to 18 U.S.C. 3161(7)(A), the defense requests that the Court find that the ends of justice are served by continuing this matter to the next trial docket and that this continuance outweighs the best interest of the public and the defendant in a speedy trial.

BASED on the reasons set forth herein, Mr. Velo requests that this matter be removed from the August 2010 docket and continued until the February 2011 trial docket.

Respectfully Submitted,

MORGAN PILATE LLC

/s/ Melanie S. Morgan

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Attorney for Alfonso Velo

**CERTIFICATE OF SERVICE**

I, Melanie S. Morgan, do hereby certify that a true and accurate copy of the foregoing was served on opposing counsel and counsel of record by the ECF system on June 28, 2010.

/s/ Melanie S. Morgan  
Melanie S. Morgan