

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

UNITED STATES OF AMERICA,
Plaintiff,

VS.

MARCUS GAY,
Defendant.

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NO. 10-00162-19-CR-W-FJG

**SECOND MOTION FOR EXTENSION OF TIME
TO FILE OBJECTIONS TO PRELIMINARY PRESENTENCE REPORT**

Defendant Marcus Gay moves the Court for second extension of time until January 19, 2012, to file objections to the preliminary presentence report, and in support states:

1. Objections were originally due December 22, 2012. Mr. Gay requested and received an extension to January 9, 2012. Mr. Gay is now requesting a second (and final) extension to January 19, 2012.
2. This request would provide counsel and the defendant an additional ten days to finalize objections. Counsel for Mr. Gay does not often request an extension of time to file objections in cases, let alone a second extension. However, there are a couple of issues counsel is carefully evaluating that is requiring significant research, time, and visits with Mr. Gay. No further extensions will be necessary. Counsel and Mr. Gay have met and reviewed the preliminary presentence report on two separate occasions. Counsel believes a third meeting is necessary and beneficial to drafting potential objections.

3. Counsel for Mr. Gay has contacted the Assistant United States Attorney and the Probation Office and has made them aware counsel has been working on potential issues. While counsel for Mr. Gay has not contacted the Assistant United States Attorney about this specific extension, there was no objection to the last extension and counsel is unaware of any reason why there would be an objection to this request.

For the foregoing reasons, Mr. Gay prays the court to extend the time for filing objections to the preliminary presentence report until January 19, 2012.

Respectfully submitted,

/S/ DANA M. ALTIERI

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CERTIFICATE REGARDING SERVICE

I hereby certify that it is my belief and understanding that counsel for plaintiff, and counsel for the co-defendants in this matter are participants in the Court's CM/ECF program and that separate service of the foregoing document is not required beyond the Notification of Electronic Filing to be forwarded on January 10, 2012 upon the filing of the foregoing document.

/s/ Dana M. Altieri

DANA M. ALTIERI