

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

UNITED STATES OF AMERICA,	)	
Plaintiff,	)	
	)	
v.	)	Case No. 08-00297-12-CR-W-FJG
	)	
ENRICO McCLAIN,	)	
Defendant.	)	

**MOTION FOR ORDER TO TRAVEL OUT OF STATE**

COMES NOW, Enrico McClain by and through his counsel, Lance D. Sandage, and moves court for an Order allowing McClain to travel from his residence in Dallas, Texas area to Las Vegas, Nevada from June 17, 2009 through June 21, 2009. McClain states the following in support.

**SUGGESTIONS IN SUPPORT**

1. On October 29, 2008, a grand jury returned a 34 count indictment charging the defendant and others with a variety of crimes associated with an alleged mortgage fraud scheme. Mr. McClain was charged in counts one and six of the 34 count indictment. Mr. McClain's maximum sentencing exposure if convicted is 15 years.

2. Mr. McClain was placed on bond immediately following his initial appearance. Pretrial Service has been monitoring McClain while on bond. To date, there have been no violations. McClain remains employed in the Dallas area and has been compliant with all pretrial release conditions.

3. Pretrial Service Officer Van Hecke was contacted regarding the request travel and McClain's counsel does not believe there is an objection to the travel request.

4. Undersigned counsel has contacted AUSA Linda Parker-Marshall and has been informed that the government does not have a position on the issue of out of state travel.

5. Mr. McClain would leave Dallas, Texas on Wednesday June 17, 2009 for Las Vegas, Nevada. Mr. McClain is scheduled to be on a team participating in the US Bowling Congress Open Championship in Las Vegas, Nevada. Mr. McClain would return to Dallas, Texas on Sunday June 21, 2009. Mr. McClain has provided undersigned counsel confirmation of the event as well as confirmed flight arrangements and counsel will provide these documents to Pretrial Services if the court grants this request.

6. Mr. McClain will certainly comply with any additional conditions Pretrial Services might want to place on him while away from the Dallas area.

7. Mr. McClain has appeared in-person or by phone at all court appearances. He has maintained contact with undersigned counsel throughout the litigation and has been responsive to Pretrial Services. There is no reason to believe that Mr. McClain is a flight risk.

WHEREFORE, defendant McClain respectfully requests this court for an Order allowing him to leave the Dallas, Texas area on June 17, 2009 and returning on June 21, 2009 or for whatever other relief this court deems just and proper.

Respectfully Submitted,

**THE SANDAGE LAW FIRM, P.C.**

/s/ Lance D. Sandage

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ATTORNEY FOR ENRICO McCLAIN

**CERTIFICATE OF SERVICE**

I hereby certify that on 20<sup>th</sup> day of May, 2009, the foregoing was sent via CM/ECF system to:

Linda Marshall, Esq.  
AUSA  
400 E. 9<sup>th</sup> Street  
5<sup>th</sup> Floor  
Kansas City, MO 64106

all defense counsel of record

/s/ Lance D. Sandage  
Lance D. Sandage