

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION
DIVISION B.C.W.**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Case Number
vs.)	11-00046-03-CR-W-O.D.S.-B.C.W.
)	
AMANDA LYNN SCATES,)	
)	
Defendant.)	

**MOTION TO CHANGE DATE OF IMPOSITION OF SENTENCE
PROCEEDING; AND REASONS IN SUPPORT THEREOF**

MOTION

Comes Now the Defendant, **AMANDA LYNN SCATES**, by her Appointed Counsel, Ronald L. Hall, in accordance with Rules 47(a) and (b), Fed. R. Crim. P., and Rules 7.1(b) & (c), L.R., and moves this Court, pursuant to Rule 32(b)(2), Fed. R. Crim. P., to change the date of her Imposition of Sentence Proceeding.

Specifically, Defendant Scates requests that the date be changed from July 31, 2012, to a date in late August, 2012.

REASONS

The Defendant states the following Facts, and Reasons, in support of her Motion:

Facts

(1) On February 10, 2012, the Defendant appeared in Division O.D.S., the Honorable Ortrie D. Smith, Senior Judge, presiding, for a Change of Plea Proceeding. At that Proceeding, Judge Smith accepted the Defendant's pleas of guilty of Counts One, and Five, of the Indictment, pursuant to a Plea Agreement; and directed a member of the Probation And Pretrial Services Office to prepare a Presentence Investigation Report. At the conclusion of that Appearance, the U.S. Marshal took the Defendant into custody.

(2) On May 17, 2012, Judge Smith scheduled an Imposition of Sentencing Proceeding on July 31, 2012, at 11:00 a.m.

(3) On May 29, 2012, Judge Smith entered an Order Transferring/Reassigning Case, in which he transferred the Defendant's Case to Division B.C.W., the Honorable Brian C. Wimes, Judge, presiding.

(4) On June 22, 2012, the Defendant's Final Presentence Investigation Report was filed, under seal, with the Court.

(5) In mid-July, 2012, the Defendant, while in the custody of the Marshal, gave birth to a child.

Reasons

(1) Scheduling conflicts, caused by the Undersigned Counsel's professional obligations to other Clients, have arisen with the present Imposition of Sentence Proceeding date – July 31, 2012.

(2) Bruce Rhoades, A.U.S.A., Counsel for Plaintiff, has advised the Undersigned, that he has no objections to the Court re-scheduling this Proceeding to a later date in August, 2012, for the above stated reason.

(3) The Defendant submits that changing the date upon which she will be sentenced, due to scheduling conflicts of her Counsel, does not constitute unnecessary delay, prohibited by Rule 32(b)(1), Fed. R. Crim. P.

WHEREFORE, the Defendant respectfully requests this Court to continue the date of her Imposition of Sentence Proceeding from July 31, 2012, to a date in late August, 2012.

Respectfully submitted,

/s/ Ronald L. Hall
RONALD L. HALL
Attorney at Law
Sup. Ct. of Mo. Atty. Reg. No. 23840
7621 W. 97th Terrace
Overland Park, Kansas 66212
Tel: (816) 591-8525
Fax: (913) 648-5140
E-mail: ronlhall@swbell.net

Appointed Counsel For Defendant

CERTIFICATES OF FILING AND SERVICE

It is hereby certified that the original of the foregoing Motion To Change Date Of Imposition Of Sentence Proceeding; And Reasons In Support Thereof, was filed, by using the C.M./E.C.F. System, with the Clerk, U.S. District Court, Western District of Missouri; and E-Mail Notifications of this filing were sent, by the C.M./E.C.F. System, to Counsel for Plaintiff, and Counsel for Co-Defendants, all Registered Participants in the C.M./E.C.F. System, on the 29th day of July, 2012.

/s/ Ronald L. Hall
RONALD L. HALL

Appointed Counsel For Defendant