

Steven V. Richert, Esquire
**FEDERAL DEFENDERS OF EASTERN
 WASHINGTON AND IDAHO**
 801 E. Sherman, Ste. 177
 Pocatello, ID 83201
 Telephone: (208) 478-4155
 Idaho State Bar No. 2432

U.S. COURTS
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 CLERK, R. AND

Attorneys for Defendant

UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Case No. CR-02-232-E-BLW
vs.)	
)	MOTION TO CONTINUE PRETRIAL
ALFREDO NUNO,)	AND TRIAL
)	
Defendant.)	
_____)	

COMES NOW Defendant, Alfredo Nuno, by and through counsel, and respectfully moves this Court pursuant to 18 U.S.C. 3161(h)(1) and (F) to continue the pretrial now scheduled for October 28, 2004, and the trial now scheduled for November 8, 2004, on the grounds that Defendant has yet to receive substantial discovery. Defendant has viewed some of the available discovery, but is awaiting reproduction. Further, Defendant has been advised of an indictment from the District of Maryland, information from which Defendant also seeks. The discovery material is necessary to the defense of this action.

Defendant has not previously sought a continuance of any kind.

Defendant further represents that the government does not object to the continuance.

Defendant suggests that any delay in the trial hearing is justified by the ends of justice, and is necessitated due to the quantity of material to be reviewed before trial. Defendant requests at least sixty (60) days continuance to allow for the production and review of the investigative material.

DATED this 20 day of October, 2004.

Federal Defenders of E. Washington and Idaho
Attorneys for Defendant

By: 
Steven V. Richert

CERTIFICATE OF SERVICE

I HEREBY CERTIFY on the 21st day of October, 2004, I served a true and correct copy of the foregoing document as follows:

Michael J. Fica, Esq.
Assistant United States Attorney
District of Idaho
801 East Sherman, Ste. 192
Pocatello, ID 83201

- U.S. Mail, postage prepaid
- Hand Delivery
- Overnight Mail
- Facsimile

By: 
Steven V. Richert