

U.S. COURTS  
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George Paul Trejo, Jr.  
TREJO LAW OFFICES  
701 N. 1st Street, Suite 103  
Yakima, WA 98901  
(509) 452-7777

Attorney for Defendant

**UNITED STATES DISTRICT COURT  
DISTRICT OF IDAHO**

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 FLORENTINO VILLEGAS DELGADILLO, )  
 )  
 Defendant. )

CR-03-109-(03)-S-BL

**DECLARATION IN SUPPORT  
OF MOTION TO CONTINUE  
SENTENCING**

GEORGE PAUL TREJO, JR., being first duly sworn upon oath, deposes and states as follows:

1. I am the attorney of record for the Defendant. I am respectfully requesting a continuance of the sentencing set for December 15, 2003. There has been no previous request to continue the defendant's sentencing.
2. The Government does not object to this continuance.
3. I have spoken to my client concerning this continuance and he consents to the same. If necessary, I can provide the court with his signed consent.
4. I am a sole practitioner with an office in Yakima, Washington. Due to a heavy trial calendar this month, I have not had adequate time to prepare for the defendant's sentencing hearing.

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5. I was scheduled to go to trial on December 3, 2003 n the matter of State v. Warren Nelson Johnson (Pierce County, Washington). This case involved 9 counts of armed robbery over the course of 18 months involving 64 witnesses. It took up the vast majority of my time in the preceding weeks. On the day of trial, due to witness and discovery issues, the matter was continued. Mr. Johnson has been in custody for one year and the court had previously ordered no more continuances.

6. I was also scheduled to commence a three-defendant trial in the Eastern District of Washington, United States v. Miguel Sanchez on Monday, December 8, 2003. This case was either going to trail Mr. Johnson's trial or Mr. Johnson's trial would have trailed this case. Due to last minute complications with an eyewitness identification psychologist, this trial was continued on Friday, December 12, 2003 at 5:00 p.m.

7. As a result of these trials, I have been unable to prepare the defendant's sentencing memorandum and request additional time.

8. In reviewing the Presentence Report with my client, he has elected to attempt to provide the Government with Substantial Assistance. The Government would also like to interview my client for the purpose of evaluating his information.

9. Due to the unavailability of the case agent this week and next week, we are unable to accomplish the interview. I also have a preplanned prepaid vacation with my two teenage sons over the holidays starting on December 19, 2003 for the remainder of the month. We will be in Arizona and Nevada during this time..

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- 10. I would like to continue this matter to prepare the sentencing memorandum and to give my client an opportunity to schedule an interview for a 5K1 departure.
- 11. I would like this matter set to a mutually convenient date that accommodates the court, prosecution and probation preferably toward the latter part of January or any Friday in February.
- 12. This motion is filed in good faith and not for the purpose of causing undue delay or hardship on the Government. I apologize for any inconvenience this may cause the Court or Government.

DATED this 10<sup>th</sup> day of December 2003.

TREJO LAW OFFICES

  
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GEORGE PAUL TREJO, JR.  
Attorney for Mr. Villegas