

ORIGINAL

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U.S. DISTRICT COURT \_\_\_\_\_  
U.S. BANKRUPTCY COURT \_\_\_\_\_  
DISTRICT OF IDAHO

AUG 12 2003

\_\_\_\_\_ M. REC'D \_\_\_\_\_  
LODGED \_\_\_\_\_ FILED *fx* \_\_\_\_\_

**Attorney for Victor Manuel Castillo-Duarte**

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,	)	
	)	Case No. CR 03-109-S-BLW
Plaintiff,	)	
	)	
vs.	)	MOTION TO CONTINUE TRIAL
	)	
VICTOR MANUEL CASTILLO-DUARTE,	)	
	)	
Defendant.	)	
_____	)	

COMES NOW the Defendant, by and through his attorney of record, John Meienhofer, and moves this Court to continue the trial in this matter for a period of sixty (60) days based upon the following representations to the Court.

1. Undersigned counsel first became involved in this matter on July 24, 2003, at which time he was appointed counsel for the Defendant by Magistrate Judge Williams when the Defendant was arraigned on a Superseding Indictment in the referenced matter.
2. Counsel has obtained discovery from Dick Rubin, the Defendant's prior counsel. This counsel has reviewed the written discovery, but has not had the opportunity to review audio and videotapes, that are numerous, in connection

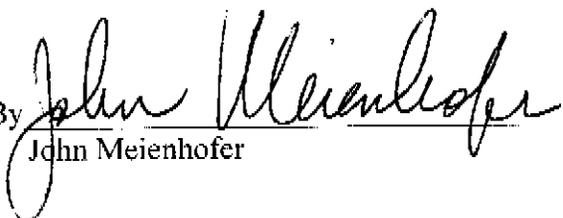
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with the written discovery. Counsel does not believe that there exist any motions to suppress, but would still submit that the court should enlarge the time for 12(b) motions in the event that such a motion would arise upon further review of the discovery.

3. Counsel has had one meeting with the Defendant to review discovery and discuss this matter, which includes advising the Defendant relative to the criminal statutes and the Federal Sentencing Guidelines. Counsel anticipates at least three (3) more meetings to accomplish the same.
4. Counsel has not had an opportunity to meaningfully negotiate with the government in the past two (2) weeks.
5. Accordingly, counsel moves this Court for a sixty (60) day continuance of the trial in this matter so that he can complete review of discovery, meet further with the Defendant, and meaningfully negotiate with the government.

Oral argument is not requested.

DATED this 1<sup>st</sup> day of August, 2003.

By   
John Meienhofer

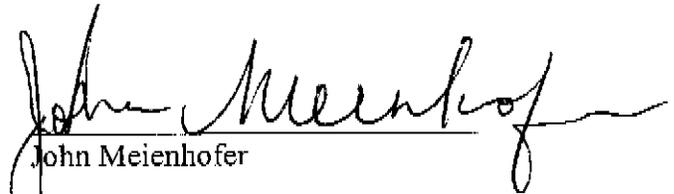
**CERTIFICATE OF MAILING**

I hereby certify that on the 15<sup>th</sup> day of August, 2003, a true and correct copy of the within and foregoing MOTION TO CONTINUE TRIAL was mailed by United States mail, postage prepaid, to the following persons:

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