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3 DISTRICT OF IDAHO
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U.S. DISTRICT COURT _____
U.S. BANKRUPTCY COURT _____
DISTRICT OF IDAHO

OCT 13 2004

_____ M. REC'D _____
LODGED _____ FILED _____

12 UNITED STATES DISTRICT COURT FOR THE DISTRICT OF IDAHO

13 UNITED STATES OF AMERICA,)
)
14 Plaintiff,) Case No. CR 04-0064-S-EJL
)
15 vs.) STIPULATION TO CONTINUE
) SENTENCING
16 MITCHELL D. McBRIDE,)
)
17 Defendant.)
)
18)
19)
_____)

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21 The United States of America, by and through its attorney, George W. Breitsameter,
22 Assistant United States Attorney for the District of Idaho, and G. Scott Gatewood, attorney for
23 the Defendant, hereby stipulate and agree to continue sentencing in the above entitled matter,
24 currently set for October 25, 2004 at 1:30 p.m., for a period of approximately thirty (30) days in
25 order to provide additional time for the Supreme Court of the United States to consider whether
26 the decision in *Blakely v. Washington*, 124 S.Ct. 2531 (2004), applies to the sentencing in this
27 case.
28

44

1 SO STIPULATED this 12th day of October, 2004.

2 THOMAS E. MOSS
3 United States Attorney
4 By:

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7 GEORGE W. BREITSAMETER
8 Assistant United States Attorney

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10 SALLAZ LAW OFFICES, CHTD.
11 By:

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29 G. SCOTT GATEWOOD, ESQ.
30 Counsel for the Defendant Mitchell D. McBride

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SO STIPULATED this 12th day of October, 2004.

THOMAS E. MOSS
United States Attorney
By:


GEORGE W. BREITSAMETER
Assistant United States Attorney

SALLAZ LAW OFFICES, CHTD.
By:


G. SCOTT GATEWOOD, ESQ.
Counsel for the Defendant Mitchell D. McBride

STIPULATION TO CONTINUE SENTENCING -- 2

CERTIFICATE OF SERVICE

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I HEREBY CERTIFY that I am an employee in the office of the United States Attorney and that a true and correct copy of the foregoing STIPULATION TO CONTINUE SENTENCING was served on the party named below this 12th day of October, 2004.

 United States Mail, postage prepaid

 Hand delivery

Facsimile Transmission

 Federal Express

G. Scott Gatewood, Esq.
Sallaz & Gatewood, Chtd.
Attorneys at Law
Post Office Box 8956
Boise, ID 83701

P. Berg

STIPULATION TO CONTINUE SENTENCING -- 3