

Steven V. Richert, Esquire  
**FEDERAL DEFENDERS OF EASTERN  
 WASHINGTON AND IDAHO**  
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U.S. DISTRICT COURT  
 DISTRICT OF IDAHO  
 POCATELLO, IDAHO  
 CLERK OF COURT

Attorneys for Defendant

UNITED STATES DISTRICT COURT  
 FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Case No. CR-04-191-E-BLW
vs.	)	
	)	<b>MOTION TO CONTINUE PRETRIAL</b>
JASON LEE ROSE,	)	<b>AND TRIAL</b>
	)	
Defendant.	)	
_____	)	

**COMES NOW** Defendant, Jason Lee Rose, 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 discovery from the government. Further, Defendant has not yet conducted adequate investigation in his defense. 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.

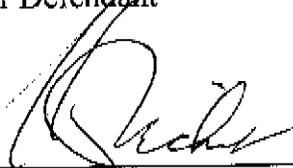
Defendant suggests that any delay in the trial hearing is justified by the ends of justice, and is necessitated due to the material to be reviewed before trial. Defendant requests

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at least forty (40) days continuance to allow for the production and review of the investigative material.

**DATED** this 22 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 22 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