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OCT 23 2008	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
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5 Tom Crowe (#002180)
 6 Attorneys for Defendant
 Daniel David Rigmaiden aka
 7 Steven Brawner

8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF ARIZONA

10 United States of America,

11 Plaintiff,

12 v.

13 Daniel David Rigmaiden,
 aka Steven Brawner

14 Defendant.

No. CR08-814-PHX-DGC

**MOTION TO EXTEND PRETRIAL
 MOTIONS DEADLINE AND MOTION
 TO CONTINUE TRIAL [FIRST
 REQUEST]**

[Filed Under Seal]

15
 16 Defendant, Daniel David Rigmaiden aka Steven Brawner, by and through counsel
 17 undersigned, moves this Court to extend the pretrial motions deadline of October 9, 2008
 18 and continue the trial herein scheduled for November 19, 2008 for a period of 60 days.
 19 Defendant is in custody.

20 Counsel for Defendant was substituted for the Federal Defender by order dated
 21 October 11, 2008, and received on October 21, 2008, and has not had sufficient opportunity
 22 to review the discovery that has been provided by the government, determine if additional
 23 discovery is outstanding, and otherwise determine what pretrial motions, if any, the
 24 Defendant may file. Counsel likewise requires additional time for preparation of the
 25 defense.

26 The government, by and through Assistant U.S. Attorney Frederick A. Battista, does
 27 not oppose this motion.

28 Based on the foregoing, Defendant requests that the pretrial motions deadline be

1 extended and the trial set for November 19, 2008 be continued for a period of 60 days.

2 Excludable delay under 18 U.S.C. § 3161(h)(8)(A) will occur as a result of this motion
3 or of an order based thereon.

4 DATED this 23rd day of October, 2008.

5 CROWE & SCOTT, P.A.

6
7
8 By 

9 Tom Crowe
10 1100 East Washington, Suite 200
11 Phoenix, Arizona 85034-1090
12 Attorneys for Defendant

11 COPY of the foregoing mailed this
12 23rd day of October, 2008, to:

13 Frederick A. Battista
14 Assistant U.S. Attorney
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16 Phoenix, AZ 85004-4408

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28 By Cindy Mahyuc