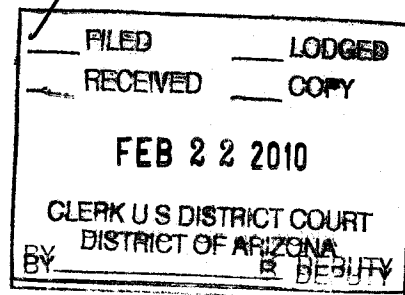


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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

11 United States of America,
12 Plaintiff,

13 v.

14 Daniel Rigmaiden,
a.k.a. Steven Travis Brawner,
15 a.k.a. Travis Rupard, and
a.k.a. Patrick Stout,
16 Defendant.

CR 08-814-PHX-DGC

**MOTION TO CONTINUE MOTION
HEARING**

(Under Seal)

SEALED

17
18
19 The United States, by and through its attorneys undersigned, respectfully requests that this
20 Honorable Court enter an order continuing the motion hearing in this case, currently set for
21 Wednesday, February 24, 2010, for a period of at least 9 days for the following reasons: (1) the
22 prosecutor assigned to this case suffered a hand injury on Saturday, February 20, 2010, and is
23 currently in the process of consulting with a hand surgeon; a final diagnosis regarding the extent
24 of the injury and course of treatment, both in the short and long term, is pending; and (2) is in
25 the process of assisting in a trial currently set for March 2, 2010; the case involves a single
26 firearms charge and is not expected to last more than 3 days. Counsel for the government did
27 not have a means to contact defendant for his position prior to the filing of this motion to
28 continue.

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1 It is expected that excludable delay under 18 U.S.C. § 3161(h) may occur as a result of
2 this motion or an order based thereon.

3 Respectfully submitted this 22nd day of February, 2010.

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DENNIS K. BURKE
United States Attorney
District of Arizona




FREDERICK A. BATTISTA
Assistant U.S. Attorney

A copy of the foregoing was filed under seal and mailed this
22nd day of February, 2010, to:

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