

FILED
DISTRICT COURT OF GUAM

JUN 22 2005

MARY L.M. MORAN
CLERK OF COURT

11

IN THE DISTRICT COURT OF GUAM

UNITED STATES OF AMERICA)	CASE NO. CR-05-00028
)	
Plaintiff,)	
)	
vs.)	MOTION TO CONTINUE
)	SENTENCING
MAI LY WONG,)	
)	
Defendant.)	

Defendant hereby moves for a ninety-day continuance of her Sentencing currently scheduled for July 2, 2005.

MEMORANDUM OF POINTS AND AUTHORITIES

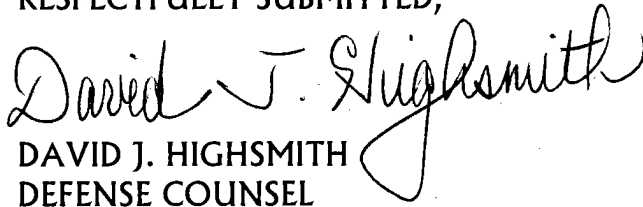
Defendant is moving for a ninety-day continuance of her Sentencing because of her health. As shown by the attached exhibits, Defendant has been diagnosed with cervical cancer and the course of her treatment is still unclear. However, she is scheduled to undergo a hysterectomy on July 6, 2005. Defendant would like, if at all possible, to complete her treatment before Sentencing. Defendant is currently released on her own recognizance, but is facing a 6 to 12 month period of imprisonment under the

ORIGINAL

6 Sentencing Guidelines. The Probation Office is recommending a three (3) year
7 probation. Federal Rule of Criminal Procedure 32(b)(1) provides that the court should
8 sentence the Defendant "without unnecessary delay." Rule 32(b)(2), however, provides
9 that "for good cause" the court can extend time lines regarding sentencing. "Good
10 cause" can be found here in the Defendant's condition.

11 Assistant U.S. Attorney Karon Johnson, the prosecutor in charge of this case, has
12 advised my office that she does not object to this continuance.

13 RESPECTFULLY SUBMITTED,

14 
15 DAVID J. HIGHSMITH
16 DEFENSE COUNSEL