

**D. JESSE SMITH
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ATTORNEY FOR DEFENDANT TIZNADO-REYNA

IN THE UNITED STATES DISTRICT COURT

DISTRICT OF ARIZONA

| | | |
|---------------------------|---|---|
| UNITED STATES OF AMERICA, |) | |
| |) | NO. CR06-1121-TUC-FRZ(BPV) |
| PLAINTIFF, |) | |
| |) | MOTION TO CONTINUE TRIAL |
| VS. |) | & RESET FOR JANUARY 22, 2008 |
| |) | (9TH REQUEST) |
| ESTEBAN TIZNADO-REYNA, |) | |
| DEFENDANT, |) | |
| _____ |) | |

It is expected that excludable delay pursuant to 18 U.S.C. 3161 may result from the filing of this motion or an order based thereon.

COMES NOW attorney for the defendant, ESTEBAN TIZNADO-REYNA, and respectfully requests that the trial date of December 11, 2007 be continued to January 22, 2008 for the following reasons:

1. Defendant is severely ill for the past week and may not be able to go to trial on December 11, 2007.
2. The Government has just disclosed an expert witness this date and defense needs time to review and prepare .
3. Mr. Clausen has no objection to this motion.

This is the ninth request for continuance.

RESPECTFULLY SUBMITTED this 29th day of November, 2007.

BY/s/ D. JESSE SMITH

Copy of the foregoing
delivered this date to:

Monte Clausen
Assistant U.S. Attorney