

1 JON M. SANDS
Federal Public Defender
2 District of Arizona
2285 S. 4th Ave., Suite E
3 Yuma, AZ 85364
Telephone: (928) 314-1780
4

5 MATTHEW A. JOHNSON
Ca. State Bar No. 207984
6 matthew_johnson@fd.org
Asst. Federal Public Defender
7 Attorney for Defendant

8 IN THE UNITED STATES DISTRICT COURT
9 DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,
12
13 v.
14 Juan Cruz-Castellanos,
15 Defendant.

NO. 07-1086M

**DEFENDANT'S MOTION TO
EXTEND TIME TO INDICT**

(First Request) (Unopposed)

(Reentry After Deportation)

16
17 The above-named defendant, Juan Cruz-Castellanos, who is accused of
18 Reentry After Deportation in violation of 8 U.S.C. § 1326, being advised of the nature of
19 the charges and of his rights in this matter, hereby moves this Court, pursuant to 18 U.S.C.
20 § 3161(h)(8)(A), for an extension of an additional thirty (30) days within which the
21 Government must indict this matter as required by the Speedy Trial Act. 18 U.S.C. §
22 3161. The basis for this request is to permit the defendant time within which to review the
23 facts in this matter, to review discovery and to investigate defenses prior to waiving rights
24 to a number of hearings.

25 The government has made a plea offer in this matter and will withdraw this
26 offer if not timely accepted before this matter is indicted. Thereafter, a plea offer, if any,
27 will be less favorable to the defendant.
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For the foregoing reasons, the defendant asserts that the ends of justice will be served by continuing for thirty (30) days the speedy indictment date and those ends outweigh the best interests of the public and those of the defendant. Counsel for the government has been consulted and does not object.

Excludable delay under 18 U.S.C. § 3161(h)(8)(A) and (h)(1)(F) may result from this motion or from an order based thereon.

Respectfully submitted this January 24, 2007.

JON M. SANDS
Federal Public Defender

s/Matthew Johnson
MATTHEW JOHNSON
Asst. Federal Public Defender

I hereby certify that on *January 24, 2007*, I electronically transmitted the attached document to the Clerk's Office using the ECF System for filing and transmittal to the following ECF registrants:

TIMOTHY ANDREWS
Assistant United States Attorney
4035 S. Avenue A
Yuma, Arizona 85365

Copy mailed to:

Defendant
