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6 Attorneys for Defendant Baseem Wahab

7
 8 UNITED STATES DISTRICT COURT
 9 DISTRICT OF ARIZONA

10 United States of America,
 11
 Plaintiff,
 12
 v.
 13 1. Frank Hernandez,
 (Counts 1, 4-48)
 14 2. Raynaldo Montelongo,
 (Counts 1-8, 10-12, 15, 24-28, 33-34,
 15 36, 37-39, 43, 44)
 16 3. Ivan Gutierrez
 (Counts 9, 13-23, 36, 40-42)
 17
 18 4. Esperanza Naomi Granado,
 (Counts 29-32, 35, 36, 45)
 19 5. Baseem Wahab
 (Counts 1-3, 7, 35, 36)
 20
 21 Defendants.

Case No.: CR09-866 PHX GMS (ECV)
**NOTICE OF REQUEST BY ICE
 DETENTION AND REMOVAL TO
 LIFT DETAINER AND SUBMITTAL
 OF CHARACTER REFERENCE
 LETTERS**
**(Detention Hearing Scheduled For
 August 4, 2009 at 9:00 a.m.)**

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22 Dr. Baseem Wahab, through his counsel Paul Charlton and Barry Mitchell, files
 23 this pleading to verify notification to the Court and the U. S. Marshall's service that the
 24 Phoenix Field Office for ICE Detention and Removal (DRO) has asked the detainer
 25 previously filed against Dr. Wahab now be lifted as Dr. Wahab is not removable, and
 26

1 therefore, DRO does not seek to detain him. *See* attached letter from Varion G.
2 Espinoza, Supervisory Detention and Deportation Officer, U. S. Immigration and
3 Customs Enforcement to Joann Sandoval, Records/Control, U. S. Marshall's Office,
4 Phoenix, Arizona attached hereto as Exhibit A. Additionally, Dr. Wahab is providing the
5 attached character reference letters from various members of the community and other
6 upstanding citizens attached hereto as Exhibit B; these letters demonstrate Dr. Wahab's
7 ties to the community and this country as well as his strong motivation to appear as
8 required in this matter through its resolution.
9

10
11 RESPECTFULLY SUBMITTED this 3rd day of August, 2009.

12 GALLAGHER & KENNEDY, P.A.

13
14 By: /s/ Barry Mitchell
15 Paul K. Charlton
16 Barry Mitchell
17 2575 East Camelback Road
18 Phoenix, Arizona 85016-9225
19 Attorneys for Defendant Baseem Wahab

20 CERTIFICATE OF SERVICE

21 I hereby certify that on August 3, 2009, I electronically transmitted the attached
22 document to the Clerk's Office using the CM/ECF System for filing and transmittal of a
23 Notice of Electronic Filing to the following CM/ECF registrants with the **exception** of
24 Joann Sandoval, Records/Control, U. S Marshall's Office, which was sent **via facsimile**:

25 Kevin M. Rapp, Esq.
26 U. S. Attorney's Office
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U. S. PSO Tammy Mahan
U. S. Pretrial Services
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tammy_mahan@azd.uscourts.gov

1 U. S. Probation Officer Ceci Foster
2 U. S. Probation Department
3 401 West Washington, #260
4 Phoenix, AZ 85003
5 ceci_foster@azd.uscourts.gov

6 Defendant Raynaldo Montelongo
7 *Pro Per*

8 Ms. Joann Sandoval
9 Records/Control
10 U. S. Marshal: David Gonzales
11 Sandra Day O'Connor U.S. Courthouse
12 401 W. Washington Street, SPC 64
13 Suite 270
14 Phoenix, AZ 85003
15 Facsimile: 602-382-8750

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By: /s/Clare M. Cushing