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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MONTANA

BILLINGS DIVISION

<p>UNITED STATES OF AMERICA,</p> <p>Plaintiff,</p> <p>vs.</p> <p>WILLIAM KRISSTOFER WOLF,</p> <p>Defendant.</p>	<p>Case No. CR 15-49-BLG-SPW</p> <p>UNOPPOSED MOTION TO CONTINUE TRIAL FOR 60 DAYS</p>
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COMES NOW Defendant WILLIAM KRISSTOFER WOLF, by and through his counsel of record, the FEDERAL DEFENDERS OF MONTANA, and MARK S. WERNER, Deputy Federal Defender, and moves the Court for an order continuing the trial currently scheduled for August 31, 2015, and for an order extending the

pretrial deadlines accordingly.

The grounds for this motion are as follows:

1. Defendant is charged by Indictment, filed April 17, 2015 with Count I, Illegal Possession Of A Machine Gun and Count II, Possession of an Unregistered Firearm on March 25, 2015. This is the second motion for a continuance and it, like the first, is unopposed by the Government.

2. Defendant and counsel have been making their way through the 524 pages of written discovery plus the 17 DVD's relating to recorded conversations and podcasts concerning the Defendant. In addition, there are text messages and phone logs. It is necessary to thoroughly review all of this discovery as the Defendant is in need of knowing what, out of the entire amount, will and should be, introduced at trial. The Assistant United States Attorney, Bryan R. Whitaker and counsel are meeting on Thursday, August 20, 2015 to go through the discovery and establish to the degree possible at this point what discovery will be used in evidence. However, because of the volume of discovery involved this is a preliminary conference. There is still discovery for counsel to review after this in order to better establish his defense at trial.

3. Due to these circumstances, Defendant is requesting a **60 day continuance** of the trial. Such a continuance, in light of the volume of discovery involved in the case is necessary for a proper preparation for trial.

4. For these reasons, Defendant requests the Court to continue the trial of this matter. Such a continuance will allow for an adequate opportunity to explore relevant issues and prepare the case for trial. Further it will prejudice the Defendant if this continuance is not granted. Counsel for Defendant asserts that the ends of justice served by granting such continuance outweigh the best interest of the public and the Defendant in a speedy trial. Defendant further asserts that for purposes of the speedy trial act, the number of days which this matter is continued are excludible under 18 U.S.C. §3161(h)(8)(A)(B)(iv).

5. Defendant is currently in custody and understands the need to be properly prepared for trial.

6. Defense Counsel has contacted Bryan R. Whitaker, Assistant United States Attorney regarding this continuance, and he does not oppose it.

RESPECTFULLY SUBMITTED this 20th day of August, 2015.

/s/ Mark S. Werner
MARK S. WERNER
Federal Defenders of Montana
Counsel for Defendant

CERTIFICATE OF SERVICE - LR 5.2(b)

I hereby certify that on August 20, 2015, a copy of the foregoing was served upon the following persons by the following means:

1,2 CM/ECF
 Hand Delivery
3,4 Mail
 Overnight Delivery Service
 Fax
 E-Mail

1. CLERK, U.S. DISTRICT COURT

2. BRYAN WHITTAKER
United States Attorneys Office
Assistant United States Attorney's Office
901 Front Street, Suite 110
Helena, MT. 59626
Counsel for the United States of America

3. UNITED STATES PROBATION OFFICE
2601 2nd Avenue North, Suite 1300
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4. WILLIAM KRISSTOFER WOLF
Defendant

/s/ Mark S. Werner
MARK S. WERNER
Federal Defenders of Montana
Counsel for Defendant