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4 Attorneys for Defendant

5 UNITED STATES DISTRICT COURT
6 DISTRICT OF IDAHO
(HONORABLE B. LYNN WINMILL)

7 UNITED STATES OF AMERICA,)
8)
Plaintiff,) CR-10-148-N-BLW
9)
vs.) MOTION TO EXTEND TIME
10) FOR THE FILING OF
EDGAR STEELE,) PRETRIAL MOTIONS AND
11) MOTION TO CONTINUE
Defendant.) TRIAL
12 _____)

13 TO: THOMAS E. MOSS, UNITED STATES ATTORNEY
TRACI J. WHELAN, ASSISTANT UNITED STATES ATTORNEY

14 EDGAR STEELE, through counsel, the Federal Defenders of
15 Eastern Washington and Idaho, moves the Court for an extension of time
16 for the filing of pretrial motions and a motion to continue the trial date.
17 Trial in this matter is currently scheduled for August 9, 2010 in Coeur
18 d’Alene, Idaho, and the Pretrial Hearing is currently scheduled for July
19 29, 2010. Mr. Steele has noted one motion for hearing; however, more
20 time is requested for the filing of additional pretrial motions and to
21 investigate and prepare for trial.

22 *Background*

23 Mr. Steele was arrested on Criminal Complaint on June 11, 2010.

1 Mr. Steele was scheduled to make an initial appearance on June 14,
2 2010; however, the hearing was rescheduled for June 15, 2010. Mr.
3 Steele was indicted on one count of Use of Interstate Commerce
4 Facilities in the Commission of a Murder for Hire in violation of 18
5 U.S.C. §1958 on that same date and a detention hearing was held. The
6 Magistrate ordered detention after the hearing, and Mr. Steele remains
7 detained.

8 *Status of Discovery*

9 On June 28, 2010, discovery was provided by the Government that
10 consisted of two audio recordings. On July 8, 2010, additional discovery
11 was provided that consisted of 78 pages of written discovery, an audio
12 recording, a surveillance video, and photos of Mr. Steele's home taken
13 during the execution of a search warrant. Additional discovery is
14 anticipated. Pending before the Court is a motion that will address the
15 scope of permissible search of materials seized from Mr. Steele's home
16 during the service of the search warrant. Because the discovery process
17 is not yet complete, additional time will be needed to review the
18 materials and prepare motions.

19 *Need for Additional Time*

20 Additional time is also needed to investigate in preparation for
21 pretrial motions as well as to prepare for trial. At present, the discovery
22 process is not yet complete and additional time is necessary to prepare
23 for motions and for trial. The ends of justice served by the granting of a

1 continuance outweigh the best interest of the public and the defendant in
2 a speedy trial. 18 U.S.C. §3161(h)(7)(A). Counsel for Mr. Steele needs
3 additional time in order to be effectively prepared taking into account
4 that due diligence has been exercised. 18 U.S.C. §3161(h)(7)(B)(iv).
5 Counsel for Mr. Steele requests a continuance of approximately sixty
6 days.

7 Dated: July 17, 2010

8
9 Respectfully Submitted,

10 s/ Roger J. Peven
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12 s/ Kailey Moran
13 WA 27857
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CERTIFICATE OF SERVICE

I hereby certify that on July 17, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following: TRACI J. WHELAN, Assistant United States Attorney.

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s/ Kailey Moran
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