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9 **ATTORNEY FOR: DEFENDANT**

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 United States of America,
13 Plaintiff,

14 v.

15 Jacqueline Parker.,
16 Defendant.

10CR757-ROS-PHX

**MOTION TO CONTINUE FINAL
PRETRIAL CONFERENCE AND TRIAL
AND TO EXTEND TIME TO FILE
PRETRIAL MOTIONS**

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18 NOW COMES the Defendant, Jacqueline Parker, by and through her counsel of
19 record, to ask this Court to continue her final pretrial conference, currently set for
20 November 18, 2011, and her trial, currently set for November 28, 2011. She asks that
21 this Court set her trial date after the conclusion of her husband's trial, currently set for
22 May 29, 2012. She also asks this Court to extend the time to file pretrial motions to be
23 concurrent with that of her husband's April 20, 2012 due date. As further grounds
24 therefore, the Defendant submits the following:
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27 As discussed at the June 13, 2011 motion hearing, the Mrs. Parker believes that
28 her husband would offer exculpatory testimony at her trial. He cannot testify on her
29

1 behalf, thereby waiving his Fifth Amendment privilege against self-incrimination,
2 however, until his trial is complete. On August 29, 2011, the Court continued Mr.
3 Parker's trial to May 29, 2012, with a final pretrial conference date of May 25, 2012.
4 (ECF Doc. 103) The Court also re-set Mr. Parker's pretrial motions deadline to April 20,
5 2012. (*Id.*) Because Ms. Parker's ability to present a defense would be significantly
6 hampered if her husband was not able to testify at her trial, Mrs. Parker asks this Court
7 to reset her pretrial conference and trial date to some time after those of her husband.
8 She also asks this Court, given the lengthy continuance sought in this case, to also reset
9 the pretrial motions deadline to April 20, 2012, the same date as set for her husband.
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11

12 Two prior continuances of the trial in this case has been sought and granted
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14 The Government has no objection to this request. It would prefer that the Court
15 set this trial in August 2012.
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17 The Court will find attached a proposed order.

18 RESPECTFULLY SUBMITTED on September 7, 2011.
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20 s/Joy Bertrand
21 Joy Bertrand
22 Attorney for Defendant
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CERTIFICATE OF SERVICE

On September 6, 2011, I, Joy Bertrand, attorney for the Defendant, Jacqueline Parker, filed the Defendant’s Motion to Continue Trial and to Extend Time to File Pretrial Motions with the Arizona District Court’s electronic filing system. Based on my training and experience with electronic filing in the federal courts, it is my understanding that a copy of this request will be electronically served upon opposing counsel, Peter Sexton and Walter Perkel, and codefendant counsel Michael Minns, Ashley Arnett, Mike Kimerer, and John McBee upon its submission to the Court.

Respectfully submitted this Sixth day of September, 2011.

s/Joy Bertrand
Joy Bertrand
Attorney for Defendant

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**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA**

UNITED STATES OF AMERICA,
Plaintiff,

v.

JACQUELINE PARKER,
Defendant.

No. 10-CR-757-PHX-ROS

ORDER

Upon Motion of the Defendant, with no objection from the Government and with good cause appearing, to wit: the continuance of the trial of her codefendant, James Parker,

IT IS ORDERED, granting the Defendant’s Motion to Extend the Defendant’s Pretrial Motions Deadline.

IT IS FURTHER ORDERED, granting the Defendant’s Motion to Continue Final Pretrial Conference and Jury Trial;

IT IS FURTHER ORDERED that the Defendant’s Pretrial Motions shall be due

_____.

IT IS FURTHER ORDERED that the Defendant’s final pretrial conference is continued to _____, at _____ a.m./p.m.

IT IS FURTHER ORDERED that the Defendant’s jury trial is continued to _____, at _____ a.m./p.m.

SO ORDERED, this _____ day of _____, 2011.

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Roslyn O. Silver
District Court Judge