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2 District of Arizona  
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7 IN THE UNITED STATES DISTRICT COURT  
8 DISTRICT OF ARIZONA

9 United States of America,  
10 Plaintiff,  
11 vs.  
12 Thomas Mario Costanzo,  
13 Defendant  
14

No. CR-17-0585-01-PHX-GMS  
**MOTION FOR LEAVE  
TO FILE NON-ELECTRONIC  
EXHIBIT**

15 Defendant, through undersigned counsel, respectfully seeks leave to  
16 allow the non-electronic filing of Exhibits D and E which is referenced in  
17 Defendant's Motion to Dismiss Counts 3, 4, 5, 6, & 7 of the First Superseding  
18 Indictment for Outrageous Government Conduct filed November 6, 2017, a CD  
19 containing audio, and therefore not convertible to electronic form.

20 Excludable delay under 18 U.S.C. § 3161(h) is unlikely to result from  
21 this motion.

22 Respectfully submitted: November 6, 2017.

23  
24 JON M. SANDS  
Federal Public Defender

25  
26 s/Maria Teresa Weidner  
27 MARIA TERESA WEIDNER  
Asst. Federal Public Defender  
28

1 Copy of the foregoing transmitted  
2 by ECF for filing November 6, 2017, to:

3 CLERK'S OFFICE  
4 United States District Court  
5 Sandra Day O'Connor Courthouse  
6 401 W. Washington  
7 Phoenix, Arizona 85003

8 MATTHEW BINFORD  
9 CAROLINA ESCALANTE-KONTI  
10 Assistant U.S. Attorneys  
11 United States Attorney's Office  
12 Two Renaissance Square  
13 40 N. Central Avenue, Suite 1200  
14 Phoenix, Arizona 85004-4408

15 LEE STEIN and MICHAEL MORRISSEY  
16 Counsel for Co-Defendant  
17 PETER NATHAN STEINMETZ

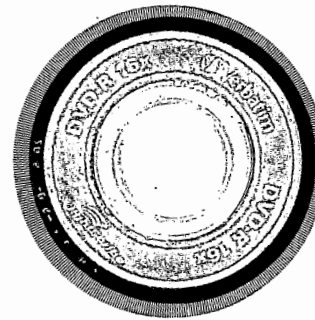
18 Copy mailed to:

19 THOMAS MARIO COSTANZO  
20 Defendant

21 s/yc

22  
23  
24  
25  
26  
27  
28

**USA v. Thomas Mario Costanzo**



CR-17-585-01-PHX-GMS

**Audio Recordings  
Exhibits D & E**