

**IN THE UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF ILLINOIS  
AT PEORIA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Criminal No. 06- 10019</b>
	)	
<b>ROBERT LAWRENCE,</b>	)	
	)	
<b>Defendant.</b>	)	

**GOVERNMENT’S MOTION TO EXTEND TIME FOR TRIAL**

The United States of America by and through Rodger A. Heaton, United States Attorney and Gerard A. Brost, Assistant United States Attorney for the Central District of Illinois, hereby moves this Court to extend the trial date for the following reasons:

1. The trial is currently set for May 15, 2006. This is the first setting of this case.
2. The defendant’s arraignment was originally set for March 28, 2006, however, on motion of defendant the arraignment was continued until April 13, 2006. The original trial date of May 15, 2006, was not re-set.
3. On April 27, 2006, the United States filed its reciprocal discovery request.
4. Since that time the United States has turned over its discovery and repeatedly requested discovery from the defendant.
5. As of the filing of this motion, the United States has not received any discovery from the defendant.

6. On May 10, 2006, during a late afternoon conversation between counsel for the defendant, Oscar Stilley, and the undersigned counsel, Mr. Stilley indicated that the government should receive the package of discovery May 11, the date of the filing of this motion. Further, that a portion of this discovery would include documents pertaining to the Paperwork Reduction Act ("PRA") which would be part of the defense.

7. This is the first time the United States has learned that the PRA is involved in this case and the government needs time to research the facts and law on this issue once it has received the pertinent documents.

8. In addition, the defendant's witness list contains names of witnesses without contact information. The government has requested this contact information, but at the time of this filing has not received it.

9. In a later evening discussion on May 10 between counsel, the undersigned discussed with Mr. Stilley three expert witnesses on the government's witness list. These witnesses, Special Agent Kathy Jo McBride, Revenue Agent Rose Shawgo, and Revenue Agent James Pogue would calculate the defendant's tax liabilities for the years at issue and discuss the defendant's liability under the Internal Revenue code. The undersigned also informed Mr. Stilley that the government will file its Expert Witness Disclosure on May 11, 2006. At that time, Mr. Stilley announced that three of the persons on his witness list would also provide expert witness testimony, but did not identify the subject of their testimony.

10. The government maintains that in order to fully prepare this case for trial it will need additional time to research and prepare for the issues that may arise after it receives the disclosures from the defendant.

11. The interests of justice require a short delay on the trial setting to allow the government an opportunity to review the discovery and research the issues raised.

WHEREFORE, the United States requests this Court to provide a short continuance in this case.

Respectfully Submitted,

UNITED STATES OF AMERICA

RODGER A. HEATON  
UNITED STATES ATTORNEY

By: s/ Gerard A. Brost  
GERARD A. BROST  
Assistant United States Attorney  
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211 Fulton Street  
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**CERTIFICATE OF SERVICE**

I hereby certify that on May 11, 2006, 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:

**Oscar A. Stilley**  
OSCAR STILLEY ATTORNEY AT LAW  
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Ft Smith, AR 72901

s/ Kim Ritthaler \_\_\_\_\_  
Legal Assistant