

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-80138-CR-MARRA/VITUNAC (S)

UNITED STATES OF AMERICA,

Plaintiff,

v.

GEORGE FORGIONE,

Defendant.

DEFENDANT GEORGE FORGIONE'S
UNOPPOSED MOTION TO CONTINUE SENTENCING

Defendant, GEORGE FORGIONE, by and through his undersigned attorney, respectfully moves this Honorable Court to continue his sentencing hearing until a date following the trial of his co-defendant, Frank Sarcona. The Defendant offers the following as grounds:

1. On 05 December 2008, during the Defendant's change of plea hearing, this Honorable Court set the Defendant's sentencing for May 15, 2009. DE 90.
2. At the change of plea hearing, the parties requested a sentencing date far enough into the future to ensure that co-defendant Sarcona's trial would be complete prior to the Defendant being sentenced.
3. On 01 April 2009 this Court re-set co-defendant Sarcona's jury trial to 05 October 2009. DE 131.
4. The Government does not oppose this motion and agrees that the Defendant's sentencing should follow co-defendant Sarcona's trial.

5. Anticipating that the Defendant's cooperation will rise to the level of substantial assistance, continuing the sentencing will obviate the need for a Rule 35 hearing and thereby conserve judicial resources.

The Local Rules allow this Honorable Court to grant a continuance in this matter. S. D. Fla. L. Rule 7.1 A.1.(g) permits this motion to be filed unaccompanied by a memorandum of law.

WHEREFORE, the Defendant's respectfully requests that this Honorable Court grant the Defendant's motion to re-set his sentencing hearing to a date in early November 2009, after the co-defendant's trial.

Respectfully submitted,

s/ Robert W. Stickney

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed by CM/ECF this 8th day of April 2009.

Respectfully submitted,

s/ Robert W. Stickney

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