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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 DISTRICT OF ARIZONA

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

No. CR-17-0585-01-PHX-JJT  
**MOTION TO CONTINUE TRIAL  
and  
MOTION TO EXTEND PRETRIAL  
MOTION DEADLINE**  
**(Second Request)**

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16 Defendant, through undersigned counsel, respectfully requests that this  
17 Court extend the time for filing of pretrial motions for a period of at least sixty (60)  
18 days from the current date of July 7, 2017. In addition, defendant requests that the  
19 Court continue the trial date for a period of at least sixty (60) days from the current  
20 date of August 1, 2017. Additional time will be necessary for defense counsel to  
21 review the discovery, investigate the case, engage in plea negotiations, prepare for  
22 trial, and render the effective assistance of counsel to the defendant.

23 Defendant further requests that any subpoenas previously issued and  
24 served in this matter remain in effect and the party who served the subpoena should  
25 advise the witnesses of the new trial date.

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1 Defense counsel has contacted Assistant United States Attorney  
2 Matthew Binford regarding this motion and the government has no objection to the  
3 requested continuances. Undersigned counsel has also contacted co-counsel, Lee  
4 David Stein, who represents the co-defendant, Peter Nathan Steinmetz, in this case,  
5 and has indicated that he has no objection to the requested continuances, and would  
6 join in this motion.

7 Excludable delay under 18 U.S.C. § 3161(h)(7)(B)(i) and (iv) may  
8 result from this motion or from an order based thereon.

9 Respectfully submitted: June 30, 2017.

10 JON M. SANDS  
11 Federal Public Defender

12 s/Maria Teresa Weidner  
13 MARIA TERESA WEIDNER  
14 Asst. Federal Public Defender

15 Copy of the foregoing transmitted  
16 by ECF for filing May 18, 2017, to:

17 CLERK'S OFFICE  
18 United States District Court  
19 Sandra Day O'Connor Courthouse  
20 401 W. Washington  
Phoenix, Arizona 85003

21 FERNANDA CAROLINA ESCALANTE KONTI  
22 MATTHEW H. BINFORD  
23 Assistant U.S. Attorneys  
24 United States Attorney's Office  
25 Two Renaissance Square  
40 N. Central Avenue, Suite 1200  
Phoenix, Arizona 85004-4408  
26  
27  
28

1 LEE DAVID STEIN  
2 Counsel for Co-Defendant  
3 Peter Nathan Steinmetz  
4 1 Renaissance Sq.  
5 2 N Central Ave., Ste. 1900  
6 Phoenix, AZ 85004

7 Copy mailed to:

8 THOMAS MARIO COSTANZO  
9 Defendant

10 s/yc  
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