

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	No. 3:05-cr-00185
)	Judge Trauger
TIMOTHY RYAN RICHARDS)	

MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANT
RICHARDS' MOTION TO VACATE CONVICTIONS

Defendant Timothy Ryan Richards has filed a motion to vacation convictions Counts One, Two, Three, Eleven, Sixteen, Nineteen, Twenty, Twenty-One, Twenty-Two, Twenty-Three, and Twenty-Four of the Third Superseding Indictment. The government moves the Court for an extension of time until November 21, 2007 to respond to this motion on the grounds that additional time is required to prepare the government's response. Of the two prosecuting attorneys handling this matter, the Assistant United States Attorney is currently on maternity leave; the Department of Justice Attorney has since the trial transferred to another division of the Department and is handling this matter in addition to a full case-load for her new position. In addition, given that the case upon which the defendant principally relies, *Connection Distributing Co., et.al. v. Keisler* __ F.3d. ___, 2007 WL 3070970 (6th Cir. Oct. 23, 2007), was decided very recently on October 23, 2007, the Child Exploitation and Obscenity Section of the Department of Justice has not yet issued guidance on the issues raised with the case. That guidance is expected to be available during the period of the requested extension.

The undersigned has spoken with Kimberley S. Hodde, Esq., counsel for defendant Richards concerning this motion. Ms. Hodde advised undersigned counsel that she has no objection to the government being granted additional time to respond to his motion.

Wherefore, the government requests that its motion be granted.

Respectfully submitted,

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Certificate of Service

The undersigned certifies that a copy of this Motion has been served upon the following counsel via the Court's Electronic Case Filing System or United States Mail, this 8th day of November, 2007:

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