

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARY HELEN QUAINANCE, et. al,

No. CR-2006-538 JH

Defendant.

DEFENDANT'S MOTION TO VACATE PLEA HEARING

COMES NOW, the Defendant, **MARY HELEN QUAINANCE**, by and through her attorney of record, Mario A. Esparza, and hereby moves the Court to vacate the plea hearing currently scheduled for January 25, 2007. **AS GROUNDS** in support of said motion, Defendant would show the following facts:

1. Government and Defendant had reached an agreement for a conditional plea and, as such, a change of plea hearing was scheduled for Thursday, January 25, 2007.
2. On January 23, 2007, undersigned counsel was advised by Luis Martinez, A.U.S.A., that the Government will not honor one of terms of the plea agreement which had been accepted by Ms. Quaintance. Until this issue is resolved, a plea hearing will not be necessary.
3. Based on the foregoing, Ms. Quaintance requests that the plea hearing be vacated until further notice.

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