

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

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Cause No. CR 06-538 JH

UNITED STATES OF AMERICA, §
Plaintiff, §
v. §
DANUEL DEAN QUAINANCE, §
MARY QUAINANCE, §
Defendants. §

MOTION FOR EXTENSION OF TIME TO FILE INTERLOCUTORY APPEAL

DANUEL DEAN QUAINANCE, and MARY QUAINANCE, Pro Se, Defendants,
moves the Court for an order granting a reasonable extension of time to allow filing an
interlocutory appeal, and in support of this motion would respectfully show the Court as
follows:

1. The Court recently ruled on motions effecting substantial constitutional rights
of defendants with a potential of causing irreversible results.
2. This motion is filed prior to tolling of time for filing an interlocutory appeal.
3. This Court granted motions for withdrawal of counsel related to effective
assistance of counsel.
4. Defendants were not represented according to their request or direction,
resulting in convolution of, facts, applicable law, and improper and untimely
introductions of evidence and controlling law, to an extent negatively effecting due
process.

5. This court ruled on motions wherein issues, facts, and law presented, were not according to the wishes or desires of defendants, but rather the choice of appointed counsel against the will of defendant's, as was testified to by both counsel and defendants at withdrawal hearings.

6. This court found good cause to allow withdrawal of said counsel.

7. Time to file an interlocutory appeal tolls and defendants are currently without competent and effective assistance of counsel.

8. Defendants desire to have competent and effective counsel assist them in handling legal complexities likely to arise in filing an interlocutory appeal.

9. This court was previously noticed of intent to file an interlocutory appeal.

10. This motion is being made in good faith in pursuance of justice and due process and not for any purpose of delay.

11. Defendants only request a reasonable amount of time to allow appointment of new counsel and for said counsel to prepare and file said interlocutory.

12. Defendants hereby waives their speedy trial rights to the extent such waiver is necessary to grant the extension requested herein.

13. Defendants being un-represented have not contacted U.S. attorneys representing the government in this action against them, as they feel any un-represented contact could be detrimental to their case, as such it is assumed government is opposed to this motion.

WHEREFORE, for the foregoing reasons, DANUEL DEAN QUAINANCE and MARY QUAINANCE, Pro Se, Defendants, respectfully prays that the Court enter an order granting a reasonable extension of time to file an interlocutory appeal to a time

appropriate to the circumstances, but at least 10 days after appointment of new counsel;
and providing for such other and further relief to which the Court may find defendants to
be justly entitled.

Respectfully Submitted,
Pro Se, by DEFENDANTS
HCR 1 Box 4352
Pima, AZ 85543
(928) 485-2952
Fax (928) 485-2952



DANUEL D. QUAINANCE

5/18/2007
Dated



MARY QUAINANCE

5/18/07
Dated

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing MOTION FOR
EXTENSION OF TIME TO FILE INTERLOCUTORY APPEAL was served by first
class mail of the United States Postal System, addressed to Assistant United States
Attorney Luis A. Martinez and Amanda Gould, 555 Telshor, Suite 300, Las Cruces, New
Mexico, 88011; Ms. Bernadette Sedillo, 201 N. Church St., Suite 330, Las Cruces, New
Mexico 88001 on November 16, 2006.



DANUEL D. QUAINANCE

5/18/2007
Dated