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

UNITED STATES OF AMERICA,

Plaintiff,

VS.

MARY HELEN QUAINTANCE,

No. CR-2006-538 JH

Defendant.

DEFENSE COUNSEL'S MOTION TO EXCEED CJA STATUTORY LIMITS FOR ATTORNEY'S FEES

COMES NOW, the previous counsel of record, Mario A. Esparza, and hereby moves this Court for an Order allowing attorney's fees beyond the statutory limit set forth by the Criminal Justice Act. AS GROUNDS in support of said motion, undersigned counsel would show the following facts:

- 1. The immediate case is complex and highly unusual in that Defendant is alleging she was exercising her First Amendment right to practice her religion, which led to her arrest in this matter.
- 2. Pretrial motion were filed and litigated in presenting the defense on behalf of Defendant, Mary Quaintance. The Court hearings regarding these motions took place in Santa Fe, NM on May 17, 2006 and in Albuquerque, NM on August 22, 2006. Further, there was a docket call in Albuquerque, NM on May 11, 2007 which undersigned counsel attended prior to his discharge from this case.
- 3. On one occasion, undersigned counsel traveled to Safford, AZ on January 15, 2007 to discuss the status of the case, plea negotiations and litigation strategies with Defendant. Due to Defendant's indigence, the Defendant was unable to travel the 350 miles necessary to meet with

undersigned counsel.

4. Undersigned counsel was discharged from his representation of the Defendant approximately two (2) weeks prior to trial, and, was prepared in all respects to go forward on behalf of the Defendant.

Electronically Filed,

/s/ Mario A. Esparza, Attorney at Law Mario A. Esparza, ESQ. Counsel for Defendant P.O. Box 2468 Las Cruces, NM 88004 (505) 524-8312

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 1st day of June, 2007, I filed the foregoing motion electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

•	·	
	/s/	
	Mario A. Esparza	

Luis Martinez, Assistant United States Attorney