

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 06-0538 JH

DANUEL QUAINANCE,  
MARY HELEN QUAINANCE,

Defendants.

**JOINT MOTION TO ENLARGE TIME FOR FILING OBJECTIONS TO PRE-  
SENTENCE REPORT AND TO VACATE AND CONTINUE CURRENT SENTENCING  
DATE**

Danuel Quaintance and Mary Helen Quaintance, by and through their respective counsel, Jerry Daniel Herrera and John F. Robbenhaar, hereby move the court jointly for an order allowing an enlargement of time to file objections to the pre-sentence report and also to vacate and continue the current sentencing date, and as grounds for said motion would show to the court as follows:

1. The date for filing objections to the Danuel Quaintance pre-sentence report is November 3, 2008. The date for Mary Helen Quaintance to file her objections would be on or about November 7, 2008.

2. Today, November 3, 2008, counsel received from Danuel Quaintance, his objections to the pre-sentence report. The nature of these objections, is such that counsel will require additional time to review and research issues raised by Mr. Quaintance in his proposed objections.

3. This court has set sentencing for the Danuel Quaintance on December 11, 2008.

4. In addition, Mr. Quaintance in his email to counsel, indicates that he has been laboring under the flu, and was not able to provide his objections prior to today.

5. Counsel for Mary Helen Quaintance, John F. Robbenhaar has accepted a position with the Federal Public Defender and is transitioning from private practice to his new position. An enlargement of time to file objections and a continuance of the current sentencing date will facilitate a smoother transition.

6. Due to the tandem nature of this case, counsel for Mr. Quaintance and Mrs. Quaintance would respectfully request an additional four weeks for review and filing of objections to the pre-sentence report. Counsel for Mr. Quaintance and Mrs. Quaintance would then request a continuance of the current sentencing date for the second week in January, 2009, but not later than January 9, 2009.

7. Assistant United States Attorney, Luis Martinez, does not object to the enlargement of time or the continuance of the current sentencing date.

WHEREFORE, Defendants Danuel Quaintance and Mary Helen Quaintance respectfully request that this Court enter an Order allowing enlargement of time to file objections and vacating and continuing the current sentencing date.

/s/electronically signed

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/s/ electronically signed, for

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I hereby certify that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to opposing counsel of record on this date.

/s/electronically signed