

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40080-01-RDR

KENNETH C. SMITH,

Defendant.

O R D E R

This case is before the court upon defendant's motion to continue the sentencing hearing in this case currently scheduled for February 10, 2012. This is the first request for a continuance of the sentencing hearing.

Defendant asks for a continuance of eight weeks on the grounds that he needs time to retrieve clinical information from the Department of Veterans Affairs and time to work on objections to the presentence report.

The government objects to defendant's motion. The government argues that defendant has had sufficient time to prepare his objections and to prepare for the sentencing hearing. The government also claims that defendant is seeking extra time to obtain material that is not relevant to the case.

Upon consideration, the court shall continue the sentencing hearing to March 15, 2012 at 10:00 a.m. The court may make a minor change in this date if it is inconvenient to either side. Any

change to this date should be proposed promptly. But, the court shall not grant another lengthy extension.

IT IS SO ORDERED.

Dated this 1st day of February, 2012 at Topeka, Kansas.

s/Richard D. Rogers
United States District Judge