

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF OKLAHOMA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
Plaintiff,	)	
	)	
vs.	)	<b>Case No. 14-CR-119-GKF</b>
	)	
<b>ROGER BARNETT,</b>	)	
	)	
Defendant.	)	

**THIRD MOTION TO CONTINUE SENTENCING**

Counsel for Defendant Roger Barnett moves the Court to continue sentencing in this matter now set for March 3, 2015.

1. In compliance with Local Criminal Rule 47.4, Counsel advises the Court that he has conferred with Shannon Cozzoni, Assistant United States Attorney, and is authorized to state that the Government objects to this Motion.

2. Defendant Barnett is currently serving a 6 month sentence in Okmulgee County having been incarcerated since February 5, 2015 for nonpayment of child support. Counsel was scheduled to meet with Mr. Barnett that same day to review the presentence report; however, due to the fact that Barnett had just been incarcerated and counsel was recuperating from surgery, that meeting did not take place. On February 12, 2015, the probation office emailed a copy of the revised report to Counsel. It was not until February 23, 2015, was counsel able to travel to Okmulgee and discuss the report. It was at that time that Mr. Barnett voiced his concern and objection to the loss calculation. Counsel had previously attempted to have an independent expert review the loss figures as asserted by the Government. Since Mr. Barnett was terminated from his job in October, 2014, he has not been able to hire an independent expert. This date counsel has been able to make arrangements for just such a person who he believes can accomplish the job in the very near future. Because of this objection as to the loss amount calculation counsel seeks

additional time to consider this issue.

3. A proposed order has been electronically submitted pursuant to Local Criminal Rule 47.3.

**WHEREFORE**, Counsel for Defendant Barnett requests the Court continue the sentencing in this matter from to March 3, 2015 to a time not to exceed 30 (thirty) days.

Respectfully submitted,

s/Paul D. Brunton

Paul D. Brunton OBA # 1256

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**CERTIFICATE OF SERVICE**

I certify that on the 25<sup>th</sup> day of February, 2015, I electronically transmitted the foregoing document to the Clerk of Court using the ECF System for filing and transmittal of a Notice of Electronic Filing to all ECF registrant(s) associated with this case.

s/Paul D. Brunton

