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U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

U.S. DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA, FLORIDA

UNITED STATES OF AMERICA

v.

Case No. 8:03-CR-77-T-30TBM

HATIM NAJI FARIZ

**UNOPPOSED MOTION FOR EXTENSION OF TIME UNTIL MAY 24, 2004
IN WHICH TO FILE RESPONSE TO THE GOVERNMENT'S MOTION
FOR RECONSIDERATION OF THE COURT'S MARCH 12, 2004 ORDER
REGARDING THE SCIENTER REQUIREMENT**

Defendant, HATIM NAJI FARIZ, by and through undersigned counsel, and pursuant to Federal Rule of Criminal Procedure 45(b), respectfully requests that this Honorable Court grant an extension of time, up to and including Monday, May 24, 2004, to file his Response to the Government's Motion for Reconsideration of the Scierter Requirement As it Pertains to a Section 2339B Prosecution and Memorandum of Law in Support (Docs. 519, 520). As grounds in support, Mr. Fariz states:

1. The government's motion to reconsider involves a number of significant constitutional issues addressed in the Court's Order resolving the Defendants' motions to dismiss.
2. Undersigned counsel has substantially completed the response on behalf of Mr. Fariz, but would respectfully request two additional business days to finalize the response.

This motion/petition/stipulation has been considered and is hereby *granted*
this 24 day of May, 2004
James S. Moody, Jr.
JAMES S. MOODY, JR.
U.S. DISTRICT JUDGE

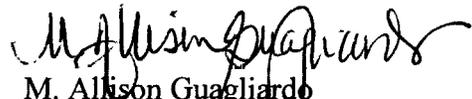
SCANNED 539

3. Undersigned counsel contacted Assistant United States Attorney Terry Zitek who indicated that the government has no objection to this motion.

WHEREFORE, Defendant, Hatim Naji Fariz, respectfully requests an extension of time, up to and including May 24, 2004, to file his response to the Government's Motion for Reconsideration of the Court's March 12, 2004 Order As it Pertains to the Scierer Requirements of a 2339B Prosecution.

Respectfully submitted,

R. FLETCHER PEACOCK
FEDERAL PUBLIC DEFENDER



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Attorney for Defendant

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this *20th* day of May, 2004, a true and correct copy of the foregoing has been furnished by hand delivery to Walter Furr, Assistant United States Attorney, 400 North Tampa Street, Suite 3200, Tampa, Florida 33602 and to the following by U.S. Mail:

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M. Allison Guagliardo
Assistant Federal Public Defender

F I L E C O P Y

Date Printed: 05/24/2004

Notice sent to:

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8:03-cr-00077 jlh

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