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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,)	Case No.: CR-S-08-449-03 WBS
)	
12 Plaintiff,)	MOTION FOR EXTENSION OF TIME
)	IN WHICH TO FILE A NOTICE OF
13 v.)	APPEAL
)	
14 TIEN THE LE,)	
)	
15 Defendant.)	
)	

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17 Defendant was sentenced on December 8, 2014, and a notice of appeal was due by
18 December 26, 2014. Present counsel was appointed to represent the defendant on appeal on
19 December 8, 2014. Due to miscommunication, present counsel mistakenly believed that former
20 counsel was going to file the notice of appeal on behalf of the defendant. Present counsel was
21 waiting for the Ninth Circuit to set a briefing schedule. On January 15, 2015, present counsel
22 was contacted by the court reporter about whether there would be an appeal and only thereafter
23 learned that no notice of appeal had been filed. Defendant requests, pursuant to Rule 4(b)(4),
24 Federal Rules of Appellate Procedure, that the Court find excusable neglect and good cause and
25 extend the time for filing the notice of appeal until January 20, 2015.

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1 Date: January 15, 2015

Respectfully submitted,

2 /s/ Quin Denvir
3 QUIN DENVIR
Attorney for Defendant

4 IT IS SO ORDERED.

5 Dated: January 16, 2015

6 
7 WILLIAM B. SHUBB
8 UNITED STATES DISTRICT JUDGE

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing Motion for Extension of Time In Which To File a Notice of Appeal with the Clerk of the Court for the United States District Court for the Eastern District of California by using the U.S. District Court CM/ECF system on January 15, 2015.

Participants in the case who are registered CM/ECF users will be served by the U.S. District Court CM/ECF system.

DATED: January 15, 2015

/s/ Alicia Hughes
ALICIA HUGHES