

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)
)
v.) 08CR888
)
) Judge James B. Zagel
ROD BLAGOJEVICH)

DEFENDANT ROD BLAGOJEVICH’S MOTION
TO CONTINUE IN LIGHT OF THE
SUPREME COURT’S OPINION ON HONEST SERVICES

Now Comes Defendant Rod Blagojevich, by and through his counsel and hereby requests this court continue this cause in light of the Supreme Court’s opinion on Honest Services. In support of said motion, defendant states the following:

Defendants are charged in this case with multiple counts of deprivation of honest services. As of the filing of this motion, the Supreme Court has released its opinions in United States v. Skilling, United States v. Black and United States v. Weyrauch (the honest services cases).

The defense requests a continuance and asks that the Court not resume testimony until Tuesday, June 29, 1010. The three opinions just handed down by the Supreme Court directly affect this case. As this Court has previously noted, it would consider a continuance if an opinion were handed down in the middle of trial.

Based on defense counsel’s preliminary review, the Supreme Court has reversed and limited in scope the honest services statute. As of the time of this filing, the Supreme Court opinions are still being issued, and defense counsel is reviewing them.

The continuance is necessary today because John Harris continues to testify. Harris testifies to alleged honest services charges which may seriously impact the jury. The indictment in this case may be amended or changed based on the rulings of the Supreme Court. Further testimony at this juncture would be improper and would prejudice the defendant.

A temporary stay in these proceedings is the most prudent way to proceed, as the defense requires time to review these decisions and file any necessary motions.

WHEREFORE, defendant Rod Blagojevich respectfully requests this Honorable Court temporarily stay these proceedings and not resume testimony until Tuesday, June 29, 2010.

Respectfully submitted,

/s/ Sam Adam

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