

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

Michael Catain,

Defendant.

Criminal No. 08-303 RHK-FLN

**DEFENDANT'S MOTION FOR  
DOWNWARD DEPARTURE AND  
DOWNWARD VARIANCE FROM  
SENTENCING GUIDELINES**

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The defendant, Mr. Michael Catain, appearing through his counsel of record, hereby respectfully moves this Court for a downward departure and a downward variance from the Sentencing Guidelines. This motion is based upon defendant's Position Regarding Sentencing, the Presentence Report, the files and records in this case and upon such evidence and argument as may be adduced by the Court at any hearing held on this matter.

DATED: July 6, 2010

Respectfully submitted,

*s/Michael Colich*

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