

**FILED**  
 6/04/13 11:30  
 DATE: TIME:  
 By *[Signature]*  
 CLERK, FSM SUPREME COURT  
 YAP  
 TRIAL DIVISION

IN THE SUPREME COURT OF THE  
 FEDERATED STATES OF MICRONESIA  
 TRIAL DIVISION – YAP STATE

FEDERATED STATES OF MICRONESIA,	)	CRIMINAL CASE NO. 2013-3500
	)	
Plaintiff,	)	
	)	
vs.	)	MOTION TO RE-SET HEARING ON PLEA
	)	AGREEMENT FOR A DATE AFTER JUNE
TONY RUTMAG,	)	24, 2013 AND TO APPEAR
	)	TELEPHONICALLY
Defendant.	)	
	)	

The FSM Department of Justice, on behalf of the plaintiff, Federated States of Micronesia, requests that the pre-trial hearing scheduled for June 21, 2013 be re-set to a later date and that the plaintiff be allowed to appear telephonically for the hearing based on FSM Civil Rule 6 and following points and authorities.

**Points and Authorities**

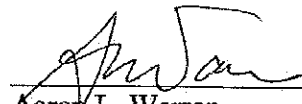
Counsel seeks enlargement of the June 21, 2013 hearing on the stipulated plea agreement. Counsel will be transiting from Nadi, Fiji back to Pohnpei on June 21, 2013, and is scheduled to arrive back in Pohnpei on June 24, 2013. Counsel for the defendant was previously made aware of counsel's schedule and did not object. A copy of counsel's itinerary is attached.

Counsel further requests that he be allowed to appear telephonically for the hearing on the scheduled date, or if he is not allowed to appear telephonically that the hearing be set no earlier than June 30, 2013 in order to allow ample time for travel from Pohnpei to Yap.

Therefore, for good cause and pursuant to FSM Civil Rule 6, counsel respectfully requests that this motion be granted.

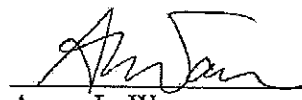
Respectfully submitted,

Dated this 4<sup>th</sup> day of June, 2013.

  
\_\_\_\_\_  
Aaron L. Warren  
Assistant Attorney General  
FEDERATED STATES OF MICRONESIA  
DEPARTMENT OF JUSTICE  
P.O. Box PS-105  
Palikir, Pohnpei 96941  
Phone: 320-2608/2644  
Fax: 320-2234  
Email: [alw.fsm@gmail.com](mailto:alw.fsm@gmail.com)

#### CERTIFICATION OF NOTICE AND SERVICE

Counsel for the defendant was previously informed of counsel for plaintiff's schedule and he did not object. He was also provided a copy of this motion digitally when filed and also a copy by mail. No objection was made.

  
\_\_\_\_\_  
Aaron L. Warren  
Assistant Attorney General  
FEDERATED STATES OF MICRONESIA  
DEPARTMENT OF JUSTICE

eTicket Receipt

Prepared For  
 WARREN/AARON L MR

RESERVATION CODE	IMCYDQ
ISSUE DATE	03Jun2013
TICKET NUMBER	1803927872085
ISSUING AIRLINE	KOREAN AIR
ISSUING AGENT	MACQUARIE TRAVELWORLD SERVICES LTD/ARL
ISSUING AGENT LOCATION	FIJI FJ
IATA NUMBER	11302244

Itinerary Details

TRAVEL DATE	AIRLINE	DEPARTURE	ARRIVAL	OTHER NOTES
05Jun13	KOREAN AIR KE 112	GUAM, US PACIFIC IS  Time 02:30	SEOUL INCHEON INT, KOREA REPUBLIC  Time 06:10	Airline Reservation Code DCF2B2 Class ECONOMY Seat Number CHECK-IN REQUIRED Baggage Allowance 1PC Booking Status CONFIRMED Fare Basis BHEEGW Not Valid Before 05 JUN Not Valid After 05 JUN
06Jun13 - 07Jun13	KOREAN AIR KE 137	SEOUL INCHEON INT, KOREA REPUBLIC  Time 19:25	NADI, FIJI  Time 08:35	Airline Reservation Code DCF2B2 Class ECONOMY Seat Number CHECK-IN REQUIRED Baggage Allowance 1PC Booking Status CONFIRMED Fare Basis BHEEGW Not Valid Before 06 JUN Not Valid After 06 JUN
21Jun13	KOREAN AIR KE 138	NADI, FIJI  Time 09:55	SEOUL INCHEON INT, KOREA REPUBLIC  Time 17:35	Airline Reservation Code DCF2B2 Class ECONOMY Seat Number CHECK-IN REQUIRED Baggage Allowance 1PC Booking Status CONFIRMED Fare Basis BHEEGW Not Valid Before 21 JUN Not Valid After 21 JUN
21Jun13 - 22Jun13	KOREAN AIR KE 111	SEOUL INCHEON INT, KOREA REPUBLIC  Time 19:30	GUAM, US PACIFIC IS  Time 01:00	Airline Reservation Code DCF2B2 Class ECONOMY Seat Number CHECK-IN REQUIRED Baggage Allowance 1PC Booking Status