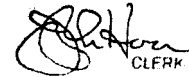


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

OCT 08 2008


CLERK

UNITED STATES OF AMERICA,

CR 08-50079

Plaintiff,

vs.

ORDER

JOHN GRAHAM,
a/k/a John Boy Patton; and
VINE RICHARD MARSHALL,
a/k/a Richard Vine Marshall,
a/k/a Dick Marshall,

Defendant.

Yesterday the Government moved for an expedited trial date in the trial of both John Graham, a/k/a John Boy Patton, and Vine Richard Marshall, a/k/a Richard Vine Marshall, a/k/a Dick Marshall. In his September 8, 2008, Motion for Continuance and Extension of all Deadlines, Defendant Marshall's lawyer had indicated that he had only received less than fifty pages in discovery materials out of what was supposed to be some six thousand pages of documents in potential discovery materials. Accordingly, the Court moved Mr. Marshall's trial date to February 24, 2009. The Court could schedule the trial of Mr. Graham and Mr. Marshall for December 9, 2008. The Court does not know what discovery has been made available to the counsel for Defendant Marshall since September 8, 2008, but for purposes of scheduling, the Court would like to hear by Tuesday, October 14, 2008, from counsel for the Government, counsel for Mr. Graham, and counsel for Mr. Marshall regarding whether or not, with expedited discovery, everyone can be ready for trial on December 9, 2008. Accordingly,

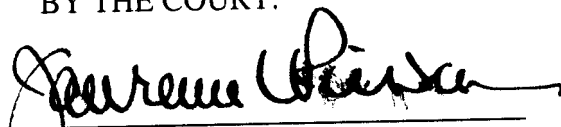
IT IS ORDERED:

1. That by Tuesday, October 14, 2008, counsel for the Government, counsel for Mr. Graham, and counsel for Mr. Marshall shall advise the Court regarding whether or not, with expedited discovery, everyone can be ready for trial on

December 9, 2008.

Dated this 8th day of October, 2008.

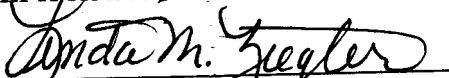
BY THE COURT:



Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY:



DEPUTY