

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

UNITED STATES OF AMERICA	)	CRIM. NO. 08-50079-01
Plaintiff,	)	
	)	DEFENDANT GRAHAM'S
vs.	)	MOTION FOR DISCLOSURE
	)	OF PRE-SENTENCE
JOHN GRAHAM, a/k/a	)	INVESTIGATION REPORT
JOHN BOY PATTON and	)	
VINE RICHARD MARSHALL, a/k/a)	)	
RICHARD VINE MARSHALL, a/k/a)	)	
DICK MARSHALL	)	
Defendant.	)	

Defendant John Graham moves this Court for its Order requiring the United States Probation to disclose to him those portions of Arlo Fritz Looking Cloud's pre-sentence investigation report (PSR) in which Mr. Looking Cloud's mental health history, chemical dependency history, or any other fact or circumstance bearing on Mr. Looking Cloud's ability to perceive or recall events, is discussed. Alternatively, Mr. Graham seeks in camera review of Mr. Looking Cloud's PSR to determine those portions of the PSR subject to disclosure because they pertain to Mr, Looking Cloud's mental health history, chemical dependency history, or any other fact or circumstance bearing on Mr. Looking Cloud's ability to perceive or recall events. This motion is based on the attached memorandum in support.

Dated November 24, 2008.

/s/ John R. Murphy

John R. Murphy  
328 East New York Street, Suite 1  
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(605) 342-2909

### CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true and correct copy of the foregoing document upon the person(s) herein next designated, on the date shown below by placing the same in the service indicated, addressed as follows:

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Dated November 24, 2008.

/s/ John R. Murphy

John R. Murphy