

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED
DEC 30 2008


CLERK

UNITED STATES OF AMERICA,

CR08-50079-02

Plaintiff,

v.

JOHN GRAHAM aka JOHN BOY
PATTON, and VINE RICHARD
MARSHALL aka RICHARD VINE
MARSHALL aka DICK MARSHALL,

Defendants.

**MOTION TO SEAL EXHIBIT 1 TO
UNITED STATES' RESPONSE IN
OPPOSITION TO DEFENDANT
MARSHALL'S MOTION FOR
PRODUCTION OF HANDWRITTEN
NOTES**

COMES NOW the United States of America, by and through United States Attorney Marty J. Jackley and Assistant US Attorney Robert A. Mandel and respectfully prays the Court to issue an Order sealing Exhibit 1 to the United States' Response in Opposition to Defendant Marshall's Motion for Production of Handwritten Notes in the above-captioned matter, and as grounds therefor states as follows:

Exhibit 1 to the Response is correspondence from defense counsel that includes his comments and impressions regarding witnesses and evidence.

WHEREFORE, the United States prays that this Court seal Exhibit 1 to the United States Response in Opposition to Defendant Marshall's Motion for Production of Handwritten Notes.

Date: December 30, 2008

MARTY J. JACKLEY
United States Attorney



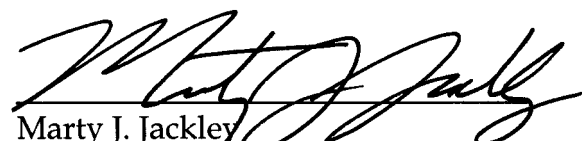
PO Box 2638
Sioux Falls, SD 57101-2638
605.357.2330

CERTIFICATE OF SERVICE

The undersigned hereby certifies on December 30, 2008, a true and correct copy of the foregoing was served upon the following person(s), by placing the same in the service indicated, addressed as follows:

John R. Murphy
Dana Hanna

- U.S. Mail, postage prepaid
- Hand Delivery
- Facsimile at
- Federal Express
- Electronic Case Filing



Marty J. Jackley
United States Attorney

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR08-50079-02

Plaintiff,

vs.

JOHN GRAHAM aka JOHN BOY
PATTON, and VINE RICHARD
MARSHALL aka RICHARD VINE
MARSHALL aka DICK MARSHALL,

Defendants.

**ORDER SEALING EXHIBIT 1
TO UNITED STATES' RESPONSE IN
OPPOSITION TO DEFENDANT
MARSHALL'S MOTION FOR
PRODUCTION OF
HANDWRITTEN NOTES**

Upon Motion of the United States and good cause having been shown, it
is hereby

ORDERED, that Exhibit 1 to the United States' Response in Opposition to
Defendant Marshall's Motion for Production of Handwritten Notes in the above-
entitled matter be sealed until it is ordered unsealed.

Dated this _____ day of _____.

BY THE COURT:

Veronica L. Duffy
Magistrate Judge