

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.)	RESPONSE TO MOTION TO
)	CONTINUE
JOHN GRAHAM, a/k/a)	
JOHN BOY PATTON and)	
VINE RICHARD MARSHALL, a/k/a))	
RICHARD VINE MARSHALL, a/k/a))	
DICK MARSHALL)	
Defendant.)	

Defendant John Graham does not object to Defendant Marshall's Motion to Continue. Mr. Graham understands Mr. Marshall's need to be completely prepared for trial, and he notes the relatively short period of time since Mr. Marshall was indicted. He also notes that Mr. Marshall's ability to prepare a defense has been hampered by the government's decision not to provide him with copies of the 109 audio taped interviews in this case, many of which pertain directly to the government's case, and which contain valuable impeachment and exculpatory evidence.

Mr. Graham has executed a waiver of speedy trial act compliance, which is filed separately from this response.

Dated January 16, 2009.

/s/ John R. Murphy

John R. Murphy
328 East New York Street, Suite 1
Rapid City, SD 57701
(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 January 16, 2009.

/s/ John R. Murphy

John R. Murphy