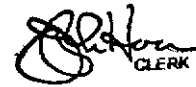


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

MAR 26 2009


CLERK

UNITED STATES OF AMERICA,

CR08-50079

Plaintiff,

v.

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

Defendants.

**MOTION TO SEAL EXHIBIT 3
UNITED STATES' MEMORANDUM
OPPOSING DEFENDANT
GRAHAM'S MOTION IN LIMINE
RE: STATEMENTS TO MEDICINE
MAN**

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 3 to its Memorandum Opposing Defendant Graham's Motion in Limine Re: Statements to Medicine Man in the above-captioned matter, and as grounds therefor states as follows:

Exhibit 3 is a copy of a grand jury transcript.

WHEREFORE, the United States prays that this Court seal Exhibit 3 to its Memorandum Opposing Defendant Graham's Motion in Limine Re: Statements to Medicine Man.

Dated this 26th day of March 2009.

MARTY J. JACKLEY
United States Attorney



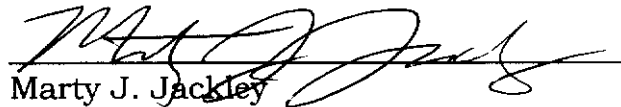
PO Box 2638
Sioux Falls, SD 57101-2638
605.357.2330

CERTIFICATE OF SERVICE

The undersigned hereby certifies on March 26, 2009, 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