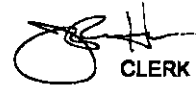


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

MAR 27 2009


CLERK

UNITED STATES OF AMERICA,)
Plaintiff,)
)
vs.)
)
JOHN GRAHAM, a/k/a)
JOHN BOY PATTON and)
VINE RICHARD MARSHALL, a/k/a)
RICHARD VINE MARSHALL, a/k/a)
DICK MARSHALL.)
Defendants.)

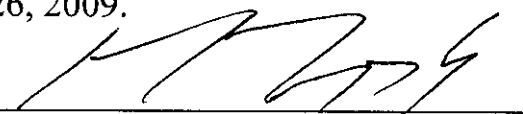
CRIM. NO. 08-50079-01

DEFENDANT GRAHAM'S
MOTION TO SEAL

Defendant requests that Defendant Graham's *Ex Parte* Motion for Issuance of Subpoena Duces Tecum, as well as the Court's order relating to that motion, and the return/proof/affidavit of service generated in connection with the service of this document, be placed under seal. Further, Defendant asks that the U.S. Marshall's Service be instructed not to discuss the names of any witness served, nor the content of this motion, with any party.

The basis for this request is that the determination as to which witnesses to subpoena is attorney work product that should be protected. There is no alternative procedure available to the defense that would protect its work product.

Respectfully submitted March 26, 2009.



John R. Murphy: Counsel for Defendant
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