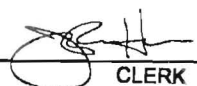


UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

APR 02 2009


CLERK

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 08-50079

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.

MOTION TO SEAL EX PARTE
AFFIDAVIT AND APPLICATION FOR AN
ORDER FOR THE ISSUANCE OF
SUBPOENAS

NOW COMES Defendant Richard Marshall, by and through his attorney, Dana L. Hanna, and hereby moves the Court to file the attached Ex Parte Affidavit and Application for an Order for the Issuance of Subpoenas under seal.

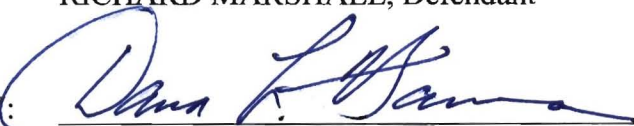
Counsel for Defendant Marshall represents that there are good reasons for sealing this document: it is an ex parte application for subpoenas, filed pursuant to Rule 17 of the Federal Rules of Criminal Procedure.

WHEREFORE Defendant Marshall moves the Court to file the attached Affidavit and Application for an Order for the Issuance of Subpoenas under seal.

Dated this 2nd day of April, 2009.

RICHARD MARSHALL, Defendant

BY:



Dana L. Hanna
Attorney for Defendant Marshall
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