

FILED

APR 29 2009

Joseph Haas
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA, *
* CR 08-50079

Plaintiff, *

vs. *

ORDER

JOHN GRAHAM, a/k/a/ John Boy Patton, *
VINE RICHARD MARSHALL, a/k/a *
Richard Vine Marshall, a/k/a *
Dick Marshall, *

Defendants. *

Pending before the Court is Marshall's Motion in Limine #2, Doc. 132. The Court will hold a hearing under Rule 104 of the Federal Rules of Evidence on the admission claimed by the United States pursuant to Federal Rule of Evidence 801(d)(2)(A) and 804(b)(3). This is pursuant to Defendant Marshall's Motion in Limine #2, Doc. 132, and the Response of the United States, Doc. 169. Accordingly,

IT IS ORDERED:

1. That on Tuesday, May 5, 2009, at 1:00 P.M., mountain daylight time, in the Magistrate Courtroom on the second floor of the Federal Courthouse in Rapid City, South Dakota, the Court will hold a hearing on Marshall's Motion in Limine #2 .

Dated this 29th day of April, 2009.

BY THE COURT:

Lawrence L. Piersol

Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: *Joseph Haas*
DEPUTY