

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED
APR 30 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,

**UNITED STATES' MOTION
FOR *IN CAMERA* REVIEW**


Defendants.

COMES NOW the United States of America, by and through United States Attorney Marty J. Jackley and AUSA Robert A. Mandel and respectfully submits its Motion for In Camera Review.

The United States submits copies of Exhibit A to the United States' Response Opposing Defendant Graham's Motion in Limine Re: Grand Jury Testimony for *in camera* review in that said information is grand jury material of an ongoing criminal investigation. The United States believes this information is pertinent to the Court's consideration, and the defense is not entitled to this evidence under Federal Rule of Evidence 16, Brady v. Maryland, or the Jencks Act.

Date: April 30, 2009

MARTY J. JACKLEY
United States Attorney

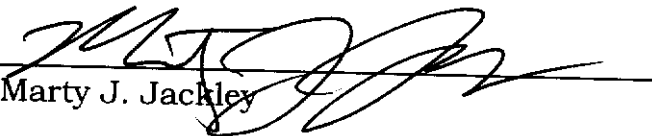

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CERTIFICATE OF SERVICE

The undersigned hereby certifies on April 30, 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