

**United States Court of Appeals**

***For The Eighth Circuit***

Thomas F. Eagleton U.S. Courthouse  
111 South 10th Street, Room 24.329

**St. Louis, Missouri 63102**

**Michael E. Gans**  
*Clerk of Court*

**VOICE (314) 244-2400**  
**FAX (314) 244-2780**  
[www.ca8.uscourts.gov](http://www.ca8.uscourts.gov)

May 01, 2009

Mr. Marty J. Jackley  
U.S. ATTORNEY'S OFFICE  
District of South Dakota  
P.O. Box 2638  
Sioux Falls, SD 57101-2638

RE: 09-2009 United States v. John Graham

Dear Mr. Jackley:

The district court has transmitted the government's notice of appeal in this criminal matter, and we have docketed it under the caption and case number shown above. Please include the caption and the case number on all correspondence or pleadings submitted to the court. Counsel in the case must supply the clerk with an Appearance Form. Counsel may download or fill out an [Appearance Form](#) on the "Forms" page on our web site at [www.ca8.uscourts.gov](http://www.ca8.uscourts.gov).

The court has established an appeal briefing schedule for the case, a copy of which will be forwarded under separate notice of docket activity. Please review the schedule and note the key filing dates. You should also review Federal Rules of Appellate Procedure 28 and 32, as well as Eighth Circuit Rules 28A and 32A. Useful information about briefing and the record on appeal can be found at these links:

[www.ca8.uscourts.gov/newcoa/notes/redactcr-egov.pdf](http://www.ca8.uscourts.gov/newcoa/notes/redactcr-egov.pdf)  
[www.ca8.uscourts.gov/newcoa/forms/crbcrchk.pdf](http://www.ca8.uscourts.gov/newcoa/forms/crbcrchk.pdf)  
[www.ca8.uscourts.gov/newcoa/forms/crrecord.pdf](http://www.ca8.uscourts.gov/newcoa/forms/crrecord.pdf)

If a transcript will be required for the appeal, you should immediately contact the official court reporter and order the transcript. Appellee must order his or her own copy of the transcript, either by preparing a CJA Form 24 or by contacting the reporter and making arrangements for payment. CJA Form 24 is available on the "Forms" page of the web site referenced above.

The court has directed the clerk's office to monitor and enforce compliance with the briefing schedule. Failure to meet the briefing deadlines will result in the issuance of an order to show cause. Requests for extensions of time must be filed on a timely basis and should establish good cause. Overlength briefs are strongly discouraged. Permission to file an overlength brief must be sought 7 days in advance of the due date. See Eighth Circuit Rule 28A(h). Please note the provisions of Eighth Circuit Rule 32A governing briefs and reply briefs responding to multiple briefs.

On June 1, 2007, the Eighth Circuit implemented the appellate version of CM/ECF. Electronic filing is now mandatory for attorneys and voluntary for pro se litigants proceeding without an attorney. Information about electronic filing can be found at [www.ca8.uscourts.gov/files/cmecfstandingorder.pdf](http://www.ca8.uscourts.gov/files/cmecfstandingorder.pdf). In order to become an authorized Eighth Circuit filer, you must register with the PACER Service Center at <https://pacer.psc.uscourts.gov/psco/cgi-bin/cmecf/ea-regform.pl>. Questions about CM/ECF may be addressed to the Clerk's office.

If you have any questions about the schedule or procedures for the case, please contact our office.

Michael E. Gans  
Clerk of Court

CYZ

Enclosure(s)

cc: Mr. John Graham  
Mr. Joseph A. Haas  
Mr. Robert A Mandel  
Mr. John R. Murphy

District Court/Agency Case Number(s): 5:08-cr-50079-LLP-1

**Caption For Case Number: 09-2009**

**United States of America,**

**Plaintiff - Appellant**

**v.**

**John Graham,  
also known as John Boy Patten,**

**Defendant - Appellee**

**Addresses For Case Participants: 09-2009**

Mr. Marty J. Jackley  
U.S. ATTORNEY'S OFFICE  
District of South Dakota  
P.O. Box 2638  
Sioux Falls, SD 57101-2638

Mr. John Graham  
PENNINGTON COUNTY JAIL  
307 St. Joseph Street  
Rapid City, SD 57701

Mr. Joseph A. Haas  
U.S. DISTRICT COURT  
District of South Dakota  
P.O. Box 6080  
302 U.S. Courthouse  
Rapid City, SD 57709-0000

Mr. Robert A Mandel  
U.S. ATTORNEY'S OFFICE  
515 Ninth Street  
Rapid City, SD 57701-0000

Mr. John R. Murphy  
Suite 1  
328 E. New York Street  
Rapid City, SD 57701-0000