

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,)
) CR08-50079
 Plaintiff,)
)
 vs.)
) **MOTION TO SEAL MEMORANDUM**
 JOHN GRAHAM A/K/A JOHN BOY) **FILED IN SUPPORT OF MOTION TO**
 PATTON, and VINE RICHARD) **QUASH SUBPOENA OF THEDA CLARK**
 MARSHALL, A/K/A RICHARD VINE) **AND ATTACHED AFFIDAVITS**
 MARSHALL A/K/A DICK MARSHALL,)
)
 Defendants.)

COMES NOW, Theda Clarke, by and through her CJA appointed attorney of record, Michael Sanders Hofmann, and moves this Honorable Court for its Order to Seal the Memorandum filed in support of the Motion to Quash Subpoena of Theda Clarke dated May 4, 2009, and attached Affidavits (Doc. 339), in and for the reason that said memorandum and affidavits contain confidential information.

Dated this 5th day of May, 2009.

Respectfully submitted,

/s/ Michael Sanders Hofmann

Michael Sanders Hofmann
Attorney for Theda Clarke
Costello, Porter, Hill, Heisterkamp,
Bushnell & Carpenter, LLP
704 St. Joseph Street
P.O. Box 290
Rapid City, SD 57709-0290
Telephone: (605) 343-2410
Facsimile: (605) 343-4262
Email: mhofmann@costelloporter.com

CERTIFICATE OF SERVICE

I hereby certify that on this 5th day of May, 2009, a true and correct copy of the **MOTION TO SEAL THE MEMORANDUM FILED IN SUPPORT OF MOTION TO QUASH SUBPOENA OF THEDA CLARK AND ATTACHED AFFIDAVITS** were served upon the following persons, by placing the same in the service indicated, addressed as follows:

Marty Jackley	[]	U.S. Mail
United States Attorney	[]	Hand Delivery
United States Courthouse	[]	Facsimile
515 Ninth Street	[]	Federal Express
Rapid City, SD 57701	[X]	Electronic Case Filing

John R. Murphy	[]	U.S. Mail
Murphy Law Office	[]	Hand Delivery
328 East New York Street, # 1	[]	Facsimile
Rapid City, SD 57701	[]	Federal Express
	[X]	Electronic Case Filing

Dana Hanna	[]	U.S. Mail
Hanna Law Office	[]	Hand Delivery
P.O. Box 3080	[]	Facsimile
Rapid City, SD 57709	[]	Federal Express
	[X]	Electronic Case Filing

**COSTELLO, PORTER, HILL, HEISTERKAMP,
BUSHNELL & CARPENTER, LLP**

By: /s/ *Michaele Sanders Hofmann*
Michaele Sanders Hofmann
Attorney for Theda Clarke
Costello, Porter, Hill, Heisterkamp,
Bushnell & Carpenter, LLP
704 St. Joseph Street
P.O. Box 290
Rapid City, SD 57709-0290
Telephone: (605) 343-2410
Facsimile: (605) 343-4262
Email: mhofmann@costelloporter.com