

FILED

MAY 06 2009

Chilton
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

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.

CR 08-50079

ORDER GRANTING
CONTINUANCE

Pending before the Court is the joint motion of the government and defendant Marshall for a continuance of the trial now set for May 12, 2009. In accordance with the Court's oral rulings at the hearing on Tuesday, May 5, 2009,

IT IS ORDERED:

1. That the joint motion to continue is granted. (Docs. 341 and 342.)
2. That the trial now scheduled for May 12, 2009 is continued until the Eighth Circuit rules on the related appeal or appeals, at which time the Court will set a new date for trial.

Dated this 6th day of May, 2009.

BY THE COURT:

Lawrence L. Piersol
Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: *Jackie Meisenheimer*
DEPUTY