

**FILED**

JUN 04 2009

  
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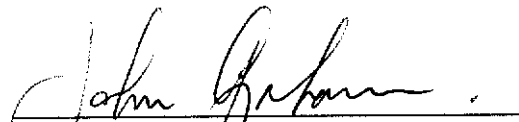
IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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 )  
Defendant. )

CRIM. NO. 08-50079-01  
DEFENDANT GRAHAM'S  
INVOCATION UNDER  
THE FIFTH AND SIXTH  
AMENDMENTS

Defendant John Graham expressly and unequivocally invokes his right to remain silent and his right to counsel guaranteed to him under both the Fifth and Sixth Amendments to the United States Constitution.

Dated this 2 day of June, 2009.

  
John Graham, Defendant

WITNESSED BY:

  
SIGNATURE

ERIN E. DUCHENEAUX  
PRINT NAME

## CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served a true and correct copy of the foregoing document upon the person(s) herein next designated, on the date shown below by placing the same in the service indicated, addressed as follows:

MARTY J. JACKLEY

- U.S. Mail, postage prepaid
- Hand Delivery
- Federal Express
- Facsimile at
- Electronic Case Filing

ROBERT A. MANDEL

- U.S. Mail, postage prepaid
- Hand Delivery
- Federal Express
- Facsimile at
- Electronic Case Filing

DANA HANNA

- U.S. Mail, postage prepaid
- Hand Delivery
- Federal Express
- Facsimile at
- Electronic Case Filing

Dated this 3<sup>rd</sup> of June, 2009.

  
\_\_\_\_\_  
John R. Murphy