

FILED
OCT 14 2009
Joseph Haas
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

UNITED STATES OF AMERICA,

CR 08-50079

Plaintiff,

vs.

ORDER

JOHN GRAHAM, a/k/a/ John Boy Patton,
VINE RICHARD MARSHALL, a/k/a
Richard Vine Marshall, a/k/a
Dick Marshall,

Defendant.

Pending before the Court is Defendant Graham's Motion to File Motions Past Filing Deadline. (Doc. 455.) The substance of the motion Defendant Graham wishes to file is in fact addressed by the United States, Graham and the State of South Dakota. On the basis of the representations made by the United States, there are no grounds at this time for this Court to order the turning over to Defendant Graham the State of South Dakota grand jury proceedings nor the State of South Dakota unredacted indictment. Accordingly,

IT IS ORDERED that Defendant Graham's Motion to File Motions Past Filing Deadline, doc. 455, is denied. The Court will continue to consider motions filed by a party if the party can show good cause as to why the motion was late filed.

Dated this 14th day of October, 2009.

BY THE COURT:

Lawrence L. Piersol

Lawrence L. Piersol

United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: *Callen Kulte*
DEPUTY