


UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED
NOV 17 2009

COLE

UNITED STATES OF AMERICA,

Plaintiff,

vs.

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

Defendant.

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CR 08-50079

ORDER

Now that the Eighth Circuit's Mandate has returned jurisdiction to this Court on November 13, 2009, the Court will rule on Defendant Marshall's Application to Extend Motions Deadline (doc. 492). The Government has not responded to the Application to Extend Motions Deadline, and it will be given an opportunity to do so prior to the Court's ruling. If the Government desires to do so, it should respond within the next ten (10) business days. The Government shall advise the Court immediately if it does not intend to respond to this motion.

If the Court grants Defendant Marshall's Motion to Extend Motions Deadline, then the Court will consider the late-filed motions. The government has not responded to all of those late-filed motions, and it may do so within the next ten (10) business days. If the Government is not going to respond to a particular motion, it should advise the Court immediately. Accordingly,

IT IS ORDERED:

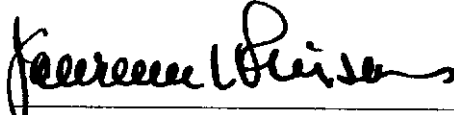
1. That within the next ten (10) business days, the United States may respond to Defendant Marshall's Application to Extend Motions Deadline, Doc. 492.

The United States shall immediately advise the Court if it does not intend to file a response to docket 492.

2. The United States shall immediately advise the Court if it does not intend to respond to any one of the defendants' late-filed motions. Otherwise, a response to the motion shall be filed within the next ten (10) business days.

Dated this 17th day of November, 2009.

BY THE COURT:

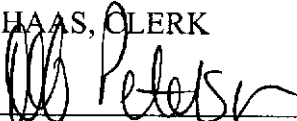


Lawrence L. Piersol
United States District Judge

ATTEST:

JOSEPH HAAS, CLERK

BY: _____


DEPUTY