

UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

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|                           |   |                      |
|---------------------------|---|----------------------|
| UNITED STATES OF AMERICA, | * | CR. 08-50079-01, -02 |
|                           | * |                      |
| Plaintiff,                | * |                      |
|                           | * |                      |
| vs.                       | * | MOTION TO SEAL       |
|                           | * |                      |
| RICHARD MARSHALL,         | * |                      |
|                           | * |                      |
| Defendant,                | * |                      |

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COMES NOW the Defendant Richard Marshall, by and through his attorney Dana L. Hanna, and hereby moves to file the documents attached as Exhibits to his Reply to Government's Response to Motion to Dismiss Indictment, filed December 8<sup>th</sup>, 2009, under seal.

Grounds for the Motion are:

1. The Reply contains Exhibits A, B and C, which are copies of discovery materials provided to the Defendant by the government, which should not be made part of the public record.

WHEREFORE, Defendant Richard Marshall moves the Court for leave to file Exhibits A, B and C of the Defendant's Reply to Government's Response to Motion to Dismiss Indictment under seal.

Dated December 8<sup>th</sup>, 2009

RICHARD MARSHALL, Respondent

By

/s/ Dana L. Hanna  
Dana L. Hanna  
HANNA LAW OFFICE, P.C.  
PO Box 3080  
816 Sixth Street  
Rapid City, SD 57709  
605-791-1832

CERTIFICATE OF SERVICE

I hereby certify that I served a copy of the Motion to Seal on the government by e-mailing a copy to

AUSA Robert Mandel  
[Robert.Mandel@usdoj.gov](mailto:Robert.Mandel@usdoj.gov)

and

John Murphy  
[jmurphysd@hotmail.com](mailto:jmurphysd@hotmail.com)

on the 8<sup>th</sup> day of December, 2009.

/s/ Dana L. Hanna  
Dana L. Hanna