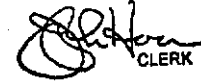


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

FILED

DEC 03 2009

  
CLERK

\*\*\*\*\*

UNITED STATES OF AMERICA,

CR 08-50079-02

Plaintiff,

vs.

ORDER

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

Defendants.

\*\*\*\*\*

The Defendant Vine Richard Marshall's Motion and Affirmation for the Issuance of a Subpoena, Doc. 518, is before the Court. The Court finds that the Motion for a Subpoena shall be granted. Accordingly,

IT IS ORDERED:

1. That the Defendant Vine Richard Marshall's Motion and Affirmation for the Issuance of a Subpoena, Doc. 518, is granted in part and denied in part.
2. That the Clerk shall prepare a Subpoena [Duces Tecum] to include name and address and other necessary information for the following person:

1.	<u>Name and Address</u>	<u>Date and Time of Appearance</u>
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Richard Mowell, Sheriff	Date to be Determined
Lawrence County Sheriff's Office	Rapid City, SD
78 Sherman Street	
Deadwood, SD 57732	

You are commanded to produce to defense counsel by  
December 21, 2009:

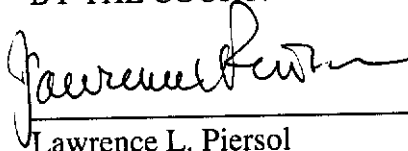
- (1) All tape recordings of telephone calls and conversations of Lawrence County Jail

prisoner Fritz Arlo Looking Cloud, from April 21, 2009 to the present date; and all records, reports, memoranda, notes, logs and other documents in the possession of the Sheriff's Department and/or the Lawrence County Jail pertaining to disciplinary offenses, write-ups, violations of possible crimes involving Fritz Arlo Looking Cloud at any time during his incarceration in the Lawrence County Jail.

3. That witness fees shall be paid in the same manner in which similar fees are paid to a witness subpoenaed on behalf of the Government.
4. That the United States Marshals Service shall cause the Subpoena to be served. Costs incurred by process shall be paid in the same manner in which similar costs are paid on behalf of the Government.
5. That the Subpoena issued by the Court for a date certain remain in full force and effect for any subsequent dates to which the appearance or trial date is continued. It is the obligation of the attorney issuing the Subpoena to convey this information to the person receiving the Subpoena.

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

BY THE COURT:



Lawrence L. Piersol  
United States District Judge

ATTEST:  
JOSEPH HAAS, CLERK

BY:  

DEPUTY