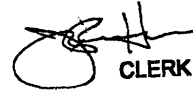


UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

FILED

FEB 02 2010


CLERK

UNITED STATES OF AMERICA,

CR 08-50079

Plaintiff,

vs.

MOTION TO SEAL ATTACHMENT

JOHN GRAHAM, a/k/a
JOHN BOY PATTON and
VINE RICHARD MARSHALL a/k/a
RICHARD VINE MARSHALL a/k/a
DICK MARSHALL,

Defendants.

Comes now the United States of America, by and through its United States Attorney, Brendan V. Johnson, and Assistant United States Attorney, Robert A. Mandel, and moves the Court for an Order to Seal the Attachment to United States' Compliance With Court's Order to Provide Highlighted Transcripts of Out-of-Court Statements, as it contains sensitive information concerning a confidential informant.

WHEREFORE, the United States requests that the Attachment to United States' Compliance With Court's Order To Provide Highlighted Transcripts of Out-of-Court Statements be sealed.

Dated this 2nd day of February, 2010.



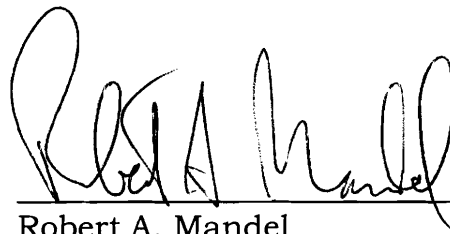
ROBERT A. MANDEL
Assistant United States Attorney
515 9th Street #201
Rapid City, SD 57701
605-342-7822
Robert.Mandel@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on the 2nd day of February, 2010, I served via FED EX, a true and correct copy of the foregoing United States' Motion to Seal Attachment and Attachment on the following:

John R. Murphy
Attorney at Law
328 E. New York #1
Rapid City, SD 57701

Dana Hanna
Attorney at Law
816 Sixth Street
Rapid City, SD 57701



Robert A. Mandel