

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

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

VINE RICHARD MARSHALL, a.k.a.  
RICHARD VINE MARSHALL, a.k.a.  
DICK MARSHALL,  
Defendant.

Case No. CR 08-50079

DEFENDANT MARSHALL'S  
OPPOSITION TO GOVERNMENT'S  
APPEAL OF MAGISTRATE'S ORDER

NOW COMES Defendant Vine Richard Marshall, by and through his attorney, Dana L. Hanna, and hereby responds in opposition to the government's appeal of the Magistrate's order [Doc. 644]. The Magistrate's order should be affirmed for the reasons set forth in the Magistrate Judge's memorandum-order.

Dated this 9<sup>th</sup> day of February, 2010.

VINE RICHARD MARSHALL, Defendant

BY: /s/ Dana L. Hanna  
Dana L. Hanna  
Attorney for Defendant Marshall  
PO Box 3080  
Rapid City, SD 57709  
(605) 791-1832  
dhanna@midconetwork.com

**CERTIFICATE OF SERVICE**

I hereby certify that I have served a true and correct copy of the foregoing Motion was electronically served upon the other parties in the case via the electronic mail addresses listed below:

Robert Mandel, Assistant United States Attorney  
[Robert.Mandel@usdoj.gov](mailto:Robert.Mandel@usdoj.gov)

Dated this 9<sup>th</sup> day of February, 2010.

*/s/ Dana L. Hanna*  
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Dana L. Hanna