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MAR 09 2010  
CLERK U S DISTRICT COURT  
DISTRICT OF ARIZONA  
BY \_\_\_\_\_ S DEPUTY

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District of Arizona  
2  
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6  
7 UNITED STATES DISTRICT COURT  
8 DISTRICT OF ARIZONA

**SEALED**

9 United States of America,  
10 Plaintiff,  
11 v.  
12 Daniel Rigmaiden,  
a.k.a. Steven Travis Brawner,  
13 a.k.a. Travis Rupard, and  
14 a.k.a. Patrick Stout,  
15 Defendant.

CR 08-814-PHX-DGC

**UNITED STATES' MOTION TO  
EXTEND TIME IN WHICH TO FILE  
ITS RESPONSE TO DEFENDANT'S  
MOTION FOR PARTIAL  
DISCLOSURE OF GRAND JURY  
TRANSCRIPTS SO THAT  
DEFENDANT MAY BRIEF THE  
ISSUE OF PREJUDICE AND  
DISMISSAL OF INDICTMENT**

**(Filed Under Seal)**

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17  
18 The United States moves for an extension to file its Response to defendant's Motion for  
19 Partial Disclosure of Grand Jury Transcripts So That Defendant May Brief the Issue of Prejudice  
20 and Dismissal of Indictment until March 19, 2010.

21 The defendant's motion was received by the United States Attorney's Office on  
22 January 13, 2010. The motion was inadvertently filed with the voluminous pro se materials  
23 defendant had submitted to the government prior to the Court's Order allowing him to represent  
24 himself. The pleading was discovered in the course of preparing a response to a recent  
25 supplemental request for discovery by defendant.

26 Due to the fact that this matter just came to the attention of the government, the  
27 government has not sent a written request to defendant for his position on this motion. On this  
28 same date, the government has advised the Court and defendant via this pleading that it has no

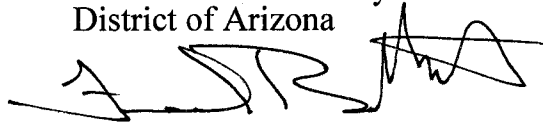
C.O.

1 objection to defendant's motion to continue the hearing in this case set for Friday, March 12,  
2 2010.

3 It is expected that excludable delay under 18 U.S.C. § 3161(h) may occur as a result of  
4 this motion or an order based thereon.

5 Respectfully submitted this 9<sup>th</sup> day of March, 2010.

6  
7 DENNIS K. BURKE  
8 United States Attorney  
9 District of Arizona



10  
11 FREDERICK A. BATTISTA  
12 Assistant U.S. Attorney

13  
14 **CERTIFICATE OF SERVICE**

15 I hereby certify that on March 9, 2010, I caused the attached document to be filed under  
16 seal with the Clerk's Office and a copy to be mailed to defendant and defendant's shadow  
17 counsel Philip A. Seplow at the following addresses:

18  
19 Daniel Rigmaiden  
20 Agency No. 10966111  
21 CCA-CADC  
22 Post Office Box 6300  
23 Florence, Arizona 85132

24 Philip A. Seplow  
25 Attorney at Law  
26 2000 North 7<sup>th</sup> Street  
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