

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT PADUCAH  
(Filed Electronically)**

**CRIMINAL ACTION NO. 5:06CR-19-R  
UNITED STATES OF AMERICA,**

**PLAINTIFF,**

**vs.**

**STEVEN DALE GREEN,**

**DEFENDANT.**

**MOTION TO CONDUCT ORAL ARGUMENT**

Comes the defendant, by counsel, and moves the Court to conduct oral arguments regarding the defendant's Motion to Dismiss (R. 92) and Motion to Dismiss for Lack of Jurisdiction (R. 99).

As grounds for said motion, the defense submits the following:

PFC Green is being prosecuted under The Military Extraterritorial Jurisdiction Act, 18 U.S.C. § 3261 (MEJA). To the best of the defense counsels' knowledge, PFC Green is the first soldier or former soldier to be prosecuted under MEJA. He is also the first soldier or former soldier to be prosecuted in a United States' civilian court for conduct that allegedly took place while serving in the military within a war zone.

The defense's Motion to Dismiss and Motion to Dismiss for Lack of Jurisdiction address this Court's jurisdiction over this case under MEJA. The defense respectfully submits that many of the issues involved in these motions are ones of first impression before a Federal court. As such, the defense believes that oral argument may assist the Court in deciding these motions.

**WHEREFORE**, the defense respectfully requests the Court to schedule oral argument on the defendant's Motion to Dismiss (R. 92) and Motion to Dismiss for Lack of Jurisdiction (R. 99).

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Counsel for Defendant.

**CERTIFICATE**

I hereby certify that on April 30, 2008, I electronically filed the foregoing with the clerk of the court by using the CM/ECF system, which will send a notice of electronic filing to the following: Marisa J. Ford, Esq., Assistant United States Attorney; James R. Lesousky, Esq., Assistant United States Attorney; and Brian D. Skaret, Esq., Attorney at Law.

/s/ Scott T. Wendelsdorf