

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT PADUCAH  
CASE NO. 5:06CR-19-R

UNITED STATES OF AMERICA

PLAINTIFF

v.

STEVEN D. GREEN

DEFENDANT

UNITED STATES' MOTION TO ACCEPT LATE FILING

Comes the United States of America, by counsel, Marisa J. Ford, Assistant U.S. Attorney for the Western District of Kentucky, and moves the Court to accept the late filing of the United States' Response to Defendant's Motion to Preserve Agents' Notes. As grounds for its motion, the United States submits that Defendant's motion was filed on October 1, 2008, with a response deadline of October 15, 2008. The undersigned was out of the office on work-related and/or family matters for substantially all of the two week period beginning on September 28, 2008, and concluding on October 14, 2008, and was unable to gain remote wireless access either to the server at the United States Attorney's Office or to the Court's Electronic Case Filing system, and was unable to prepare or file the response of the United States on or before the October 15, 2008, due date.

The late filing was not done for purposes of delay, and there is no prejudice to the Defendant as a similar issue was raised and ruled upon by the Court over two years ago. For

these reasons, the United States' respectfully requests that the Court accept the late filing of the United States' Response to Defendant's Motion to Preserve Agents' Notes.

Respectfully submitted,

DAVID L. HUBER  
United States Attorney

/s/ Marisa J. Ford  
Marisa J. Ford  
Assistant U.S. Attorney  
510 W. Broadway, 10<sup>th</sup> Floor  
Louisville, KY 40202  
(502) 582-5930  
marisa.ford@usdoj.gov

CERTIFICATE OF SERVICE

I certify that on November 3, 2008, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system, which will send notice of electronic filing to Scott T. Wendelsdorf, Federal Defender, Patrick J. Bouldin, Assistant Federal Defender, and Darren C. Wolff, counsel for Defendant, Steven D. Green.

/s/ Marisa J. Ford \_\_\_\_\_  
Marisa J. Ford  
Assistant U.S. Attorney