

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
No. 08-CR-364 (RHK/AJB)

UNITED STATES OF AMERICA,

Plaintiff,

vs.

THOMAS JOSEPH PETTERS,

Defendant.

REDACTED

FILED UNDER SEAL

**DEFENDANT'S MOTION FOR
DISMISSAL, IMPOSITION OF
SANCTIONS, AND DISCLOSURE
OF BRADY INFORMATION**

Defendant Thomas Joseph Petters, by and through his undersigned attorneys, hereby moves the Court for an order as follows:

1. Dismissing the indictment due to the Government's refusal to make full and timely disclosures, specifically the disclosures mandated by Brady v. Maryland, 373 U.S. 83 (1963) and its progeny;
2. Imposing monetary sanctions against the Government, in an amount required to remedy the Government's refusal to disclose as noted above;
3. Mandating that the Government comply with its disclosure obligations forthwith.

This motion is based upon this Court's prior orders, Brady v. Maryland, 373 U.S. 83 (1963) and its progeny, and the authorities contained in the accompanying Memorandum of Law.

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Dated: June 30, 2009

s/ Jon M. Hopeman

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