

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 3:75-CR-26-F  
No. 5:06-CV-24-F

UNITED STATES OF AMERICA	)	
	)	GOVERNMENT'S RESPONSE
v.	)	TO MOVANT'S MOTION TO
	)	CONTINUE EVIDENTIARY
JEFFREY R. MacDONALD,	)	<u>HEARING</u>
Movant	)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby submits this response to Movant's *Motion to Continue Evidentiary Hearing*, filed July 13, 2012 [DE-275] and, in opposition to said motion, respectfully shows unto the Court the following:

1. The Government will be prepared to proceed with the evidentiary hearing as scheduled on August 20, 2012, and would respectfully request that it go forward for the reasons cited in the Government's previous filings. *See generally* DE-270, DE-272, DE-274.

2. If, however, the Court is inclined to grant Movant any relief as a result of his motion to continue, the Government would request that the portion of the hearing related to the "Britt claim" proceed in August as scheduled, and that the portion of the hearing on the movant's "unsourced hairs claim" be moved to MacDonald's proposed September date, or such other time as the Court has available. All other deadlines from the Court's orders

of June 8, 2012, [DE-266] and July 6, 2012, [DE-273] should remain in effect.

Respectfully submitted, this the 16th day of July, 2012.

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CERTIFICATE OF SERVICE

I hereby certify that I have this date served a copy of the foregoing document upon the defendant in this action either electronically or by placing a copy of same in the United States mail, postage prepaid, and addressed to counsel for defendant as follows:

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This, the 16th day of July, 2012.

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