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9 Attorneys for Plaintiff
10 UNITED STATES OF AMERICA

11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,) No. CR 07-689-GW
14)
14 Plaintiff,) GOVERNMENT'S SECOND REQUEST
15) FOR SENTENCING RULING
15 v.)
16 CHARLES C. LYNCH, et al.,)
17)
17 Defendants.)
18 _____)

19 The United States, by and through its counsel of record, the
20 United States Attorney's Office for the Central District of
21 California, hereby respectfully renews its request for the Court
22 to issue its sentencing decision and judgment and commitment
23 order with respect to defendant Charles C. Lynch ("defendant"),
24 in the above-captioned case.

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1 This application is based on the attached memorandum of
2 points and authorities, and the files and records in this case,
3 including the initial request filed by the government on October
4 8, 2009, attached hereto as Exhibit A.

5 Dated: February 9, 2010

Respectfully submitted,

6 GEORGE S. CARDONA
Acting United States Attorney

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8 CHRISTINE C. EWELL
Assistant United States Attorney
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/s/

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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 On October 8, 2009, the government filed an ex parte request
3 for this Court to issue its final written sentencing decision and
4 judgment and commitment order or, alternatively, to set a
5 deadline for the issuance of its decision and judgment, in accord
6 with the procedures set forth in Local Civil Rule 83-9 (the
7 "government's first request"). A copy of the government's first
8 request is attached hereto as Exhibit A.

9 More than 120 days have passed since the government's first
10 request without a response from the Court.¹ It has now been over
11 a year and a half since defendant was convicted of five felonies
12 on July 13, 2007, and almost eight months since the final
13 sentencing hearing on June 11, 2009, during which the Court
14 orally announced its sentence and promised a written explanation
15 to follow shortly. The parties are also approaching the six
16 month anniversary of having to dismiss their notices of appeal in
17 the Ninth Circuit due to the absence of a final ruling and
18 judgment and commitment order.

19 For the reasons set forth in the government's first request,
20 as further supported by the additional passage of time since that
21 October 8, 2009 pleading, the government respectfully requests
22 that the Court issue its final written sentencing decision and
23 judgment and commitment order or, alternatively, set a deadline

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27 ¹ At the time of the government's filing, defendant noted
28 his opposition to the first request, but has filed no written
response in the ensuing four months.

1 for the issuance of its decision and judgment, in accord with the
2 procedures set forth in Local Civil Rule 83-9.

3 Dated: February 9, 2010

Respectfully submitted,

4 GEORGE S. CARDONA
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9 _____/s/
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