

CA NOS. 10-50219, 10-50264  
IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,  
  
Plaintiff-Appellee/Cross-Appellant,  
  
v.  
  
CHARLES C. LYNCH,  
  
Defendant-Appellant/Cross-Appellee.

DC NO. CR 07-689-GW

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**NOTICE OF URGENT MOTION UNDER CIRCUIT RULE 27-3(B)**  
**ACTION REQUIRED BY SEPTEMBER 30, 2015**

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APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE  
CENTRAL DISTRICT OF CALIFORNIA

HONORABLE GEORGE H. WU  
United States District Judge

HILARY POTASHNER  
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Cross-Appellee

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ACTION REQUIRED BY SEPTEMBER 30, 2015**

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Defendant-Appellant/Cross-Appellee Charles C. Lynch, by and through counsel of record Deputy Federal Public Defender Alexandra W. Yates, provides notice that his previously-filed Motion To Enforce Section 538 of the Consolidated and Further Continuing Appropriations Act, 2015, or in the Alternative for a Limited Remand, filed on February 24, 2015, is an Urgent Motion, as defined by Ninth Circuit Rule 27-3(b). The statute on which Mr. Lynch's motion rests will expire on September 30, 2015. Mr. Lynch certifies that to avoid irreparable harm, action is needed by that date.

Because September 30, 2015, is seven months after the date on which Mr. Lynch filed his motion, he initially did not characterize his motion as “urgent,” or appreciate the need to notify the Court of the motion’s urgency. However, upon review of the government’s responsive motion, filed on March 9, 2015, Mr. Lynch reviewed the relevant Circuit rules and determined that his motion satisfies the rule for urgent motions. In an effort to comply with Rule 27-3(b), Mr. Lynch hereby files this notice. Opposing counsel received a copy of Mr. Lynch’s original motion via electronic filing on February 24.

Respectfully submitted,

HILARY POTASHNER  
Acting Federal Public Defender

DATED: March 23, 2015

By /s/ Alexandra W. Yates  
ALEXANDRA W. YATES  
Deputy Federal Public Defender

Attorneys for Defendant-Appellant/  
Cross-Appellee

**CERTIFICATE OF SERVICE**

I hereby certify that on March 23, 2015, I electronically filed the foregoing **NOTICE OF URGENT MOTION UNDER CIRCUIT RULE 27-3(B)** with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

*Lorena Macias*  
LORENA MACIAS

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United States Court of Appeals for the Ninth Circuit

Notice of Docket Activity

The following transaction was entered on 03/23/2015 at 4:46:56 PM PDT and filed on 03/23/2015

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**Case Number:** [10-50219](#)

**Document(s):** [Document\(s\)](#)

**Docket Text:**

Filed (ECF) Appellant Charles C. Lynch in 10-50219, Appellee Charles C. Lynch in 10-50264 Correspondence: NOTICE OF URGENT MOTION UNDER CIRCUIT RULE 23-3(B). Date of service: 03/23/2015 [9468474] [10-50219, 10-50264] (AWY)

**Notice will be electronically mailed to:**

Mr. David P. Kowal, Assistant U.S. Attorney  
Mr. Joseph David Elford  
Mr. Jean-Claude Andre, Assistant U.S. Attorney  
Alexandra Wallace Yates, Federal Public Defender  
Professor Jenny Elizabeth Carroll

The following document(s) are associated with this transaction:

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