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DATE 1/15/09
C. Ashley Royal
DEPUTY CLERK, U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

UNITED STATES OF AMERICA

CRIMINAL NO: 5:08-CR-24-CAR

vs.

PYROTECHNIC SPECIALTIES, INC.,
DAVID J. KARLSON,
F. BRAD SWANN,
DANIEL RAMON, and
GLEN D. CUNDIFF

MOTION TO DISMISS INDICTMENT
WITHOUT PREJUDICE

ORDER

The Government having moved the Court to dismiss the indictment without prejudice in the above-captioned case pursuant to Rule 48, Federal Rules of Criminal Procedure during a pretrial conference held on January 9, 2009; and it appearing to the Court that the Government's request to evaluate evidentiary matters was reasonable; and it appearing that jeopardy has not attached in the above-captioned case; and it appearing that counsel for Defendants voiced no objections to the Government's motion; and it appearing that justice requires that the Government's motion to dismiss without prejudice ought to be granted;

It is upon due consideration ORDERED and ADJUDGED, that said motion be sustained; and that the indictment in the above-captioned case be dismissed without prejudice; and that the Government be given leave to evaluate evidence, and to bring charges to a Grand Jury for its consideration, should the United States Attorney deem such action appropriate.

SO ORDERED, this 15 day of January 2009.

C. Ashley Royal
C. ASHLEY ROYAL
JUDGE, UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA

Presented by:

H. J. Fox, Jr.
HARRY J. FOX, JR.
ASSISTANT UNITED STATES ATTORNEY