

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
vs.)	CRIMINAL NO. 06-538 JCH
)	
DANUEL DEAN QUAINANCE and)	
MARY HELEN QUAINANCE,)	
)	
Defendants.)	

GOVERNMENT'S RESPONSE TO DEFENDANTS' JOINT
SECOND MOTION TO DISMISS SUPERSEDING INDICTMENT

The United States of America files this Response to Defendants' Joint Second Motion to Dismiss Superseding Indictment, filed on July 31, 2008.

The United States renews its argument set forth in Government's Response to Defendant's Motion to Dismiss Indictment, which was filed on April 24, 2006 (Doc. 41). In further support, the government relies on the Memorandum Opinion and Order issued by District Judge Judith C. Herrera on December 22, 2006 (Doc. 192) and on government's Response to Defendant's Motion for Reconsideration of Order Denying Motion to Dismiss, filed on May 3, 2007 (Doc. 223).

Based on the foregoing the United States requests this Honorable Court to deny Defendants' Joint Second Motion to Dismiss Superseding Indictment.

Respectfully submitted,

GREGORY J. FOURATT
United States Attorney

Electronically filed on 8/5/08
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I HEREBY CERTIFY that I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification to opposing counsel of record on this date.

Electronically filed
LUIS A. MARTINEZ
Assistant United States Attorney

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