

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

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Cause No. CR 06-538 JH

DANUEL QUAINANCE,

Defendants.

NOTICE OF APPEAL

The Defendant, DANUEL QUAINANCE, by and through his attorney, Jerry Daniel Herrera, hereby provides notice of his appeal to the United States Court of Appeals for the Tenth Circuit from the *Memorandum Opinion and Order* [Doc 416], filed January 13, 2009, referencing the Defendants' *Joint Motion for Release Pending Appeal* [Doc. 403] in the above-styled and numbered cause.

electronically filed

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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

Jerry Daniel Herrera