

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA)	
)	
vs.)	No. 08 CR 846
)	Honorable Joan Lefkow
JON BURGE)	

**DEFENDANT’S 2ND RENEWED
MOTION OF CHANGE OF VENUE**

Defendant JON BURGE, by his attorneys, pursuant to Rule 21 of the Federal Rules of Criminal Procedure and the Fifth and Sixth Amendments to the United States Constitution, respectfully renews his motion for change of venue. In support thereof, the following is offered:

1. The “Jail Jon Burge” organization plans on holding a rally at Daley Plaza on the very morning *voir dire* proceedings are scheduled to commence in this case. See Exhibit 1.
2. One of the speakers at this event will be Attorney Flint Taylor. Defendant in the past has complained about Mr. Taylor’s media campaign against Mr. Burge and its impact on Mr. Burge’s right to a fair trial.
3. Mr. Taylor has participated in the investigation of this cause by meeting with government agents/attorneys and supplying them with leads/possible witnesses. He is also an attorney of record in multiple lawsuits in which Jon Burge was/is named as a defendant. He was an attorney for Andrew Wilson, one of the “relevant” cases in this matter.
4. Attorney Taylor’s participation in the rally on the day of jury selection will transgress the canons of ethics: “A lawyer who is participating or has participated in

the investigation or litigation of a matter shall not make an extrajudicial statement that a reasonable person would expect to be disseminated by means of public communication if the lawyer knows or reasonably should know that it would pose a serious and imminent threat to the fairness of an adjudicative proceeding.” IRPC Rule 3.6(a); see also LR 83.53.6.

5. We fully expect Mr. Taylor (and perhaps the government) to rely on the First Amendment. But Mr. Burge’s constitutional right to a fair trial is equally important, if not paramount. Because the rally will incite great prejudice against Jon Burge in the community from which the jury is to be drawn, the only fair remedy is to change the venue. As one prospective juror succinctly put it: “Mr. Burge in Chicago? I mean, seriously, he’s going to get some bias from jurors. This man needs a change in venue for some fairness.”

Respectfully submitted,

/s/ Richard Beuke

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CERTIFICATE OF SERVICE

I, MARC W. MARTIN, an attorney for Defendant Jon Burge, hereby certify that on this, the 18th day of May, 2010, I filed the above-described document on the CM/ECF system of the United States District Court for the Northern District of Illinois, which constitutes service of the same.

/s/ Marc W. Martin

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