

**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 H. Lefkow
JON BURGE)	

**DEFENDANT'S MOTION FOR JUDGMENT
OF ACQUITTAL AT THE CLOSE OF THE DEFENSE CASE**

Defendant JON BURGE, by his attorneys, pursuant to Rule 29(a) of the Federal Rules of Criminal Procedure, respectfully moves this Honorable Court to enter judgment of acquittal. In support thereof, the following is offered:

1. Defendant orally moved for judgment around the close of the defense case, and indicated that the oral motion would be followed up with a written motion. As support for this motion, Defendant respectfully incorporates herein by reference his previously filed motion for judgment of acquittal. (Document 268)
2. As further support for his motion to dismiss for pre-indictment delay, Defendant notes that he has been prejudiced by the unavailability of the Gregory Banks court reporter's photograph; the remaining pages of Anthony Holmes' second court reported statement; and the death of court reporter Emmitt Smith.

WHEREFORE, based on the foregoing, Defendant Jon Burge respectfully moves this Honorable Court to grant judgment of acquittal or grant other appropriate relief.

Respectfully submitted,

/s Marc W. Martin

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CERTIFICATE OF SERVICE

I, MARC W. MARTIN, an attorney for Defendant Jon Burge, hereby certify that on this, the 23rd day of June, 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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