

**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 AND ARREST OF JUDGMENT**

Defendant JON BURGE, by his attorneys, pursuant to Rules 29(c)(1) and 34(a)(1) 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. Prior to trial, Burge moved to dismiss the indictment because it failed to state offenses. District Court Document (“R.”) 50. Burge renews that motion. For the reasons stated therein, the Court should arrest judgment on all counts.
2. During trial, Burge moved for judgment of acquittal both orally and in writing. R. 268, 283, 284. Burge renews those motions. For the reasons previously advanced, the Court should enter judgment of acquittal on all counts.
3. Even taking the evidence in a light most favorable to the government, the government failed to prove each and every element of the charged offenses beyond a reasonable doubt.
4. In support of this motion, Burge offers the attached memorandum of law.

WHEREFORE, based on the foregoing, Defendant JON BURGE respectfully moves this Honorable Court to arrest judgment, enter judgment of acquittal and/or grant any other equitable and 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 27th of August, 2010, I filed the Motion for Arrest of Judgment and/or Acquittal 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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