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SEP 27 2006	
CLERK U.S. DISTRICT COURT DISTRICT OF ARIZONA	
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**SEALED**

6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF ARIZONA

8 United States of America

9 Plaintiff,

10 v.

11 1. Brian Howes,

12 2. Kerry Ann Shanks,

13 Defendants.

CR06-0887 PHX-MHM

MOTION TO SEAL INDICTMENT

14 The United States of America, by and through counsel undersigned, moves this Court,  
15 pursuant to Fed. R. Crim. P. 6(e)(4), for an Order sealing the Indictment and this motion and  
16 order filed in this matter on the grounds that disclosure would not be in the best interest of  
17 justice.

18 Excludable delay under 18 U.S.C. § 3161(h) \_\_\_\_\_ will occur as a result of this motion and  
19 order based thereon.

20 Respectfully submitted this 27th day of September, 2006.

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22 PAUL K. CHARLTON  
United States Attorney  
District of Arizona

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25 MARY BETH PFISTER  
Assistant U.S. Attorney