

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION

No. 3:75-CR-26-F  
No. 5:06-CV-24-F

UNITED STATES OF AMERICA	)	
	)	
v.	)	GOVERNMENT'S UNOPPOSED
	)	MOTION FOR EXTENSION OF TIME
JEFFREY R. MacDONALD,	)	<u>TO FILE RESPONSIVE MEMORANDUM</u>
Movant	)	

The United States of America, by and through the United States Attorney for the Eastern District of North Carolina, hereby moves for an extension of time in which to file a response to the Movant's Post-hearing Memorandum [DE-336], and respectfully shows unto the Court the following:

1. On September 27, 2012, this Court entered an order [DE-305] directing Movant to file a post-hearing memorandum within 60 days of the filing of the official transcript, the corrected version of which was filed on November 21, 2012. However, the Movant sought several extensions and his memorandum was filed on April 1, 2013. The Government's responsive memorandum is due May 31, 2013.

2. MacDonald's post-hearing memorandum is 120 pages in length. Therefore, there are a lot of arguments to which the Government must respond. Moreover, the "evidence as a whole" to be considered is extensive.

3. As part of its response, the Government is seeking to make it easier for the Court, which did not preside over the 1979

trial, to consider the trial evidence. The Government is preparing some copies of trial exhibits that may be of help to the Court in this task.

4. Accordingly, the Government respectfully requests a 30-day extension of time to complete and file its responsive post-hearing memorandum to Monday, July 1, 2013.

5. The undersigned has contacted Mr. Gordon Widenhouse, counsel for Movant, who consented to the requested extension.

Respectfully submitted, this 28th day of May, 2013.

THOMAS G. WALKER  
United States Attorney

BY: /s/ John Stuart Bruce  
JOHN STUART BRUCE  
First Assistant U.S. Attorney  
310 New Bern Avenue, Suite 800  
Raleigh, North Carolina 27601  
Telephone: (919) 856-4530  
Fax: (919) 856-4487  
E-mail: john.bruce@usdoj.gov  
N.C. Bar No. 8200

BY: /s/ Brian M. Murtagh  
BRIAN M. MURTAGH  
Special Assistant U.S. Attorney  
310 New Bern Avenue, Suite 800  
Raleigh, N.C. 27601  
Telephone: 919-856-4530  
FAX: 919-856-4487  
E-mail: brian.murtagh2@usdoj.gov  
D.C. Bar No. 108480

BY: /s/ Leslie K. Cooley  
LESLIE K. COOLEY  
Assistant U.S. Attorney  
310 New Bern Avenue, Suite 800  
Raleigh, N.C. 27601  
Telephone: 919-856-4530  
FAX: 919-856-4487  
E-mail: leslie.cooley@usdoj.gov  
N.C. Bar No. 33871

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the foregoing document upon the defendant in this action either electronically or by depositing a copy of the same in the United States mail in a postpaid envelope addressed as follows:

M. Gordon Widenhouse, Jr.  
Attorney at Law  
312 W. Franklin Street  
Chapel Hill, N.C. 27516  
Ph: 919-967-4900

This, the 28th day of May, 2013.

THOMAS G. WALKER  
United States Attorney

BY: /s/ John Stuart Bruce  
JOHN STUART BRUCE  
First Assistant U.S. Attorney  
310 New Bern Avenue, Suite 800  
Raleigh, North Carolina 27601  
Telephone: (919) 856-4530  
Fax: (919) 856-4487  
E-mail: [john.bruce@usdoj.gov](mailto:john.bruce@usdoj.gov)  
N.C. Bar No. 8200

BY: /s/ Brian M. Murtagh  
BRIAN M. MURTAGH  
Special Assistant U.S. Attorney  
310 New Bern Avenue, Suite 800  
Raleigh, N.C. 27601  
Telephone: 919-856-4530  
FAX: 919-856-4487  
E-mail: [brian.murtagh2@usdoj.gov](mailto:brian.murtagh2@usdoj.gov)  
D.C. Bar No. 108480

BY: /s/ Leslie K. Cooley  
LESLIE K. COOLEY  
Assistant U.S. Attorney  
310 New Bern Avenue, Suite 800  
Raleigh, N.C. 27601  
Telephone: 919-856-4530  
FAX: 919-856-4487  
E-mail: [leslie.cooley@usdoj.gov](mailto:leslie.cooley@usdoj.gov)  
N.C. Bar No. 33871