

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

UNITED STATES OF AMERICA )  
 )  
 v. )  
 )  
(3) PAUL G. TIMMINS )  
\_\_\_\_\_ )

DOCKET NO. 5:03CR53

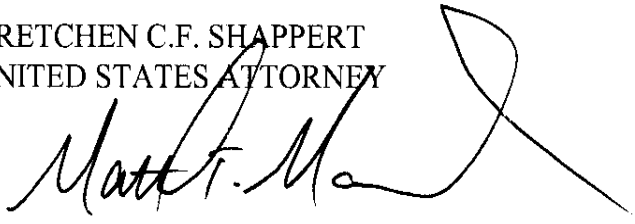
FILED  
IN COURT  
STATESVILLE, N. C.  
APR 5 2005  
U. S. DISTRICT COURT  
W. DIST. OF N. C.

**GOVERNMENT'S MOTION TO DISMISS**

NOW COMES the United States of America, by and through Gretchen C.F. Shappert, United States Attorney for the Western District of North Carolina (Matthew T. Martens, Assistant United States Attorney, appearing), and moves this Court to dismiss those counts of the indictment in the above-reference matter as they pertain to defendant Paul G. Timmins.

RESPECTFULLY SUBMITTED this 5<sup>th</sup> day of April, 2005.

GRETCHEN C.F. SHAPPERT  
UNITED STATES ATTORNEY




MATTHEW T. MARTENS  
ASSISTANT UNITED STATES ATTORNEY

**CERTIFICATE OF SERVICE**

This is to certify that I have served the opposing party in this action with a copy of the foregoing Motion to Dismiss to be hand delivered to:

Mr. Michael Skladd, Esq.  
Attorney at Law, P.L.L.C.  
38550 Garfield Road, Suite A  
Clinton Township, Michigan 48038  
Attorney for defendant Paul Timmins

April 5, 2005

  
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MATTHEW T. MARTENS  
ASSISTANT UNITED STATES ATTORNEY