

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA  
Mag. No. 08-mj-364 (JJK)

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	<b>JOINT MOTION OF THE PARTIES</b>
	)	<b>FOR EXTENSION OF TIME FOR</b>
THOMAS JOSEPH PETERS,	)	<b>FILING INDICTMENT</b>
	)	
Defendant.	)	

The United States of America, by its attorneys, Frank J. Magill, Jr., United States Attorney for the District of Minnesota, and Joseph T. Dixon, III, Assistant United States Attorney, and defendant Thomas Joseph Petters, by his attorney Jon M. Hopeman, jointly move the Court pursuant to 18 U.S.C. §3161(h) for a thirty-day extension of time for filing the indictment in the above-captioned matter. The grounds for this motion are as follows:

1. The defendant was arrested on a federal complaint on October 3, 2008. An initial appearance in this matter took place on that same date.

2. The government filed a motion for detention the same day. The defendant was ordered detained pending a preliminary hearing and detention hearing.

3. A hearing was held before Magistrate Judge Jeffrey J. Keyes on October 7, 2008. The matter was taken under advisement. The following day, on October 8, 2008, Magistrate Judge Jeffrey J. Keyes found probable cause to support the complaint and ordered the

defendant detained.

4. Excluding the time while the government's motion for detention was pending, pursuant to 18 U.S.C. §§ 3161(b) and 3161(h), an indictment must be filed by November 7, 2008.

5. As noted by the parties, the complaint alleges a significant scheme to defraud. The parties have acknowledged the rapidity of the ongoing investigation. The government has commenced the process of providing the defendant with discovery. As such, in the view of the parties, a brief 30-day extension of the period in which the government is required to bring the matter before the grand jury serves the interests of the defendant, the public, and justice as well as promoting judicial economy.

For the foregoing reasons, the parties respectfully and jointly request that the motion for a 30-day extension of time for filing the indictment in the above-captioned matter be granted. A proposed order accompanies this motion.

Dated: October 23, 2008

FRANK J. MAGILL, JR.  
United States Attorney

s/ Joseph T. Dixon, III

BY: JOSEPH T. DIXON, III  
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s/ Jon M. Hopeman

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JON M. HOPEMAN  
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