

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

v.

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**DEFENDANT'S MOTION FOR RE-CONSIDERATION**  
**ON MOTION TO SET ASIDE JURY VERDICT**

**THE DEFENDANT** was convicted of possession with intent to distribute more than five grams of crack cocaine by a jury on March 23, 2005. The Defendant, by and through counsel, made oral motions for judgment of acquittal and to set aside the jury verdict at the close of the Government's evidence, at the close of all of the evidence and after the jury returned its verdict, pursuant to Rule 29, Federal Rules of Criminal Procedure. The Court denied the Defendant's motions at each stage.

The Defendant now respectfully requests that the Court reconsider his motion to set aside the jury verdict of guilty on the charge of possession with the intent to distribute more than five grams of crack.

The Defendant also requests the opportunity to file a brief in support of this motion when transcripts of the trial have been prepared and received by Defendant's counsel. Contemporaneously with the filing of this motion, the Defendant has filed a request for those transcripts. The Defendant will file a brief in support

of this motion immediately after receiving the trial transcripts.

Therefore, the Defendant respectfully requests that the Court not rule on this motion until the transcripts have been received and the brief has been filed. The Defendant does not object to allowing the Government sufficient time after the filing of Defendant's brief to file its responsive brief.

Respectfully submitted, this the 28<sup>th</sup> day of [REDACTED].

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[REDACTED]  
[REDACTED]  
[REDACTED]  
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**CERTIFICATE OF SERVICE**

I hereby certify that I have served a copy of the foregoing **DEFENDANT'S MOTION FOR RE-CONSIDERATION ON MOTION TO SET ASIDE JURY VERDICT** by United States Mail or by hand delivery upon:

[REDACTED]  
P. O. Box 1858  
Greensboro NC 27402

This the 28<sup>th</sup> day of [REDACTED].

\_\_\_\_\_  
[REDACTED]  
First Assistant Federal Public Defender

Y:[REDACTED]\MOTIONS\ [REDACTED]not\_to\_set\_aside.wpd

