

3. In order to properly brief and argue this previously unanticipated issue, the parties require the sentencing transcript, which had not previously been ordered. That transcript has now been ordered, and a copy of the order is attached hereto. However, it is not anticipated that the transcript will be received in time to comply with the briefing deadline in the current briefing order.

4. Undersigned counsel has consulted Assistant United States Attorney [REDACTED], Acting Criminal Chief, who advises that the government agrees with the requirement for the additional transcript and is not opposed to this Motion to Rescind the Briefing Order.

For all these reasons, the Appellant hereby moves to rescind the current briefing order, pending receipt of the sentencing transcript in this case.

Respectfully submitted this the 1st day of April, 2011.

[REDACTED]
Federal Public Defender

[REDACTED]
[REDACTED]
[REDACTED]
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(336) 333-5455

CERTIFICATE OF SERVICE

I certify that I have served the foregoing Motion to Rescind Briefing Order by United States mail or by hand delivery upon:

████████████████████
Acting Criminal Chief
Assistant United States Attorney
Middle District of North Carolina
Post Office Box 1858
Greensboro, North Carolina 27402

This the 1st day of ██████████.

████████████████████
Assistant Federal Public Defender

