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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

LARRY LESTER HARVEY,

Defendant.

NO: 2:13-CR-0024-TOR-2

ORDER DISMISSING
SUPERSEDING INDICTMENT

BEFORE THE COURT is the United States' Motion to Dismiss Pursuant to Rule 48(a) (ECF No. 590). The Court has reviewed the motion and the file therein and is fully informed. The United States moves the Court to dismiss the Superseding Indictment against Defendant Larry Lester Harvey with prejudice due to the Defendant's serious health condition. For good cause shown, the Court grants the motion.

Accordingly, IT IS HEREBY ORDERED:

- 1 1. The United States' Motion to Dismiss Pursuant to Rule 48(a) (ECF No.
2 590) is **GRANTED**. The Court makes no judgment as to the merit or
3 wisdom of this dismissal.
- 4 2. The Superseding Indictment as to Defendant Larry Lester Harvey is
5 **DISMISSED WITH PREJUDICE**.
- 6 3. The jury trial scheduled for February 23, 2015, is **stricken** from the
7 Court's calendar as to Defendant Larry Lester Harvey.
- 8 4. All pending motions as to Defendant Larry Lester Harvey are denied as
9 **moot**.

10 The District Court Executive is hereby directed to enter this Order and
11 provide copies to counsel, the U.S. Probation Office, and the U.S. Marshal's
12 Service.

13 **DATED** February 18, 2015.



15 *Thomas O. Rice*

16 THOMAS O. RICE
17 United States District Judge
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