

UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 78-1107
(C.A. No. 75-226)

HAROLD WEISBERG,

Appellant,

v.

UNITED STATES DEPARTMENT OF JUSTICE,
et al.,

Appellees.

NOTION FOR LEAVE TO FILE APPELLEES' PRINTED
BRIEF, TIME HAVING EXPIRED

Appellees respectfully move for leave to file their printed brief in this case, time having expired.

Appellant and appellees originally filed their briefs in Xerox form prior to appellant's filing of a deferred appendix. Appellees filed a motion for leave to file their brief in Xerox form pending receipt of the deferred appendix. Appellant filed its deferred appendix on November 7, 1978, and thus appellees' printed brief was due on November 21, 1978, pursuant to Rule 30 (c), Federal Rules of Appellate Procedure.

The Assistant United States Attorney assigned to this case has, since September, been assigned to the Felony Trial Section of this office in Superior Court. He is appearing before the Honorable Sylvia Bacon and has a heavy load of trial and other work. Through oversight, he allowed the due date for the printed brief to pass without entering the citations to the appendix and having the brief filed.

4/1

WHEREFORE, appellees respectfully request permission to file printed copies of their brief, time having expired.

EARL J. SILBERT
United States Attorney

JOHN A. TERRY
Assistant United States Attorney

JOHN H. KORNS
Assistant United States Attorney

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a copy of the foregoing Motion has been mailed to counsel for appellant, James H. Lepar, Esquire, 910 Sixteenth Street, N.W., Washington, D.C., 20006, this 29th day of November, 1978.

JOHN H. KORNS
Assistant United States Attorney

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a copy of the foregoing Printed
Brief has been mailed to counsel for appellant:

James H. Lesar, Esquire
910 Sixteenth Street, N.W.
Washington, D.C. 20006

this 29th day of November, 1978.

JOHN H. KORNS
Assistant United States Attorney.