

**UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON**

**UNITED STATES OF AMERICA**

**v.**

**CRIMINAL NO. 2:18-cr-00134**

**ALLEN H. LOUGHRY II**

**UNITED STATES MOTION FOR TIME TO FILE  
RESPONSE TO MOTION FOR NEW TRIAL**

1. On Friday, October 26, 2018, defendant Allen H. Loughry II submitted to the Court a motion for new trial, as an attachment to a motion to file the motion for new trial under seal.

2. In his motion for new trial, defendant Loughry noted he has requested a transcript of a portion of the trial proceedings on an expedited basis. Defendant Loughry has also asked the Court to allow for additional briefing after receipt of the transcript.

3. In the absence of the transcript, defendant Loughry bases his motion for new trial upon information and belief, *see, e.g.*, Motion for New Trial, ¶ 8, as well as the attachments to that motion.

4. Inasmuch as defendant Loughry has indicated his desire to file additional briefing to incorporate the transcript, a full and complete response to the motion for new trial should likewise be based on the transcript of the proceeding rather than merely relying on notes and memory.

5. Accordingly, the United States respectfully requests that the Court allow the United States to file its response to defendant Loughry's motion for new trial within seven days after defendant Loughry has filed any additional briefing.

6. Counsel for defendant Loughry has stated that he has no objection to this motion.

Respectfully submitted,

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CERTIFICATE OF SERVICE

It is hereby certified that service of the foregoing “UNITED STATES MOTION FOR TIME TO FILE RESPONSE TO MOTION FOR NEW TRIAL” has been electronically filed and service has been made on opposing counsel by virtue of such electronic filing on this 29th day of October, 2018, to:

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