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UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

UNITED STATES OF AMERICA

3:16-CR-00051-BR

v.

AMMON BUNDY, et al.,

Defendants.

**GOVERNMENT'S RESPONSE TO
DEFENDANTS' MOTION TO INSPECT,
COPY, AND REPRODUCE GRAND JURY
AND PETIT JURY RECORDS (#925)**

The United States of America, by Billy J. Williams, United States Attorney for the District of Oregon, and through Ethan D. Knight, Geoffrey A. Barrow, and Craig J. Gabriel, Assistant United States Attorneys, hereby responds to defendants' Motion to Inspect, Copy & Reproduce Records Pertaining to the Selection of Both the Grand and Petit Juries of This Case and the accompanying Memorandum (ECF No. 925), filed by defendant Ammon Bundy on behalf of all defendants.

The government disputes the defendant's characterization of the facts and does not adopt his legal analysis. However, the government agrees that the defendants have a right to inspect jury lists:

Under 28 U.S.C. § 1867(f), parties "shall be allowed to inspect" records of the jury selection process in order to prepare motions challenging jury selection. The right to inspect jury lists is essentially unqualified. *Test v. United States*, 420 U.S. 28, 30, 95 S. Ct. 749, 750-51, 42 L. Ed. 2d 786 (1975) (per curiam); *United States v. Armstrong*, 621 F.2d 951, 955 (9th Cir. 1980).

United States v. Studley, 783 F.2d 934, 938 (9th Cir. 1986).

As defendant appears to seek far more information than he is entitled to inspect under relevant law, the government defers to the Court regarding the scope of any records the Court permits defendant to inspect.

Finally, the government remains strongly opposed to any efforts by defendant to seek to continue the trial scheduled to begin on September 7, 2016.

Dated this 27th day of July 2016.

Respectfully submitted,

BILLY J. WILLIAMS
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s/ Craig J. Gabriel
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