

Orig. order, referred to TLM

U.S. DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
FILED

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

AUG 25 2004

ROBERT H. SUEMWELL, CLERK
BY: *[Signature]*
DEPUTY

UNITED STATES OF AMERICA	:	CRIMINAL NO. 03-20092
	:	
	:	
v.	:	
	:	
	:	JUDGE MELANÇON
GREGORY JAMES CATON	:	MAGISTRATE JUDGE HILL

**GOVERNMENT'S MOTION TO DISMISS THE INDICTMENT
PURSUANT TO PLEA AGREEMENT**

NOW INTO COURT, through the undersigned Assistant United States Attorney, comes the UNITED STATES OF AMERICA, who moves this Honorable Court to dismiss a two-count Indictment filed in the above entitled and numbered cause filed on October 15, 2003, for the following reasons:

1.

Pursuant to the Plea Agreement between the UNITED STATES OF AMERICA and the defendant, in the case entitled United States v. Gregory James Caton, Docket No. 2:04CR20075-01, the defendant entered a plea of guilty to Counts 1 and 2 of a Bill of Information, charging him with mail fraud, in violation of Title 18, United States Code, Sections 1341 and 2, and the introduction of an unapproved new drug into interstate commerce, in violation of Title 21, United States Code, Section 331(d), 355(a) and 333(a)(2), and to the forfeiture of the property charged in Count 3 of the Bill of Information. Pursuant to the Plea Agreement, the defendant also agreed to sign an Agreement to Abandon Property to abandon the firearms and ammunition which were the subject of the

forfeiture in Count 2 of the Indictment under Criminal Number 03-20092. The UNITED STATES OF AMERICA agreed to dismiss the Indictment after imposition of sentence in Criminal Number 2:04CR20075-01.

2.

The defendant was sentenced in Criminal Number 2:04CR20075-01 on August 24, 2004.

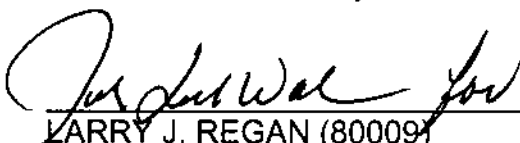
3.

Opposition counsel stated that defendant does not oppose this motion.

WHEREFORE, for the reasons given, the United States prays that its motion be granted as to the dismissal of the Indictment in the above entitled and numbered cause.

Respectfully submitted,

DONALD W. WASHINGTON
United States Attorney

By: 
LARRY J. REGAN (80009)
Assistant United States Attorney
800 Lafayette Street, Suite 2200
Lafayette, Louisiana 70501-6832
Telephone: (337) 262-6618

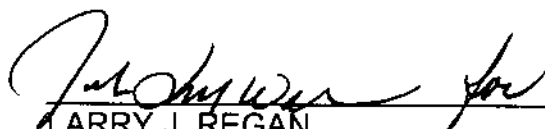
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA

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UNITED STATES OF AMERICA	:	CRIMINAL NO. 03-20092
	:	
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	:	
GREGORY JAMES CATON	:	JUDGE MELANÇON MAGISTRATE JUDGE HILL

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing Motion to Dismiss the Indictment by the UNITED STATES OF AMERICA has been forwarded, postage prepaid, to defense counsel, on this 25th day of August, 2004.



LARRY J. REGAN
Assistant United States Attorney