

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

United States

v.


06-cr-71-01-02-SM

Elaine A. Brown and
Edward L. Brown

ORDER

Re: Document No. 61, Motion for the Court to Produce Law and Facts re: Order on [55] Motion to Dismiss

Ruling: Granted. Grand jury returns are made in open court in this district to either the Magistrate Judge or a District Judge, and a digital tape recording of the proceedings are kept. To the extent denial of the motion might be thought to include a finding of fact, the court finds that the defendants conclusory allegations are unfounded and unsupported. The docket plainly states at entry 1: " SEALED INDICTMENT . . . Original document available in clerks office." Defendants may review the original document, including the return, and, of course, may seek to listen to, or pay for a transcript of, the return proceeding.


Steven J. McAuliffe
Chief District Judge

Date: November 3, 2006

cc: Elaine A. Brown, pro se
Edward L. Brown, pro se
William E. Morse, AUSA