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10
11 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

12 United States of America,
13
14 Plaintiff,

15 vs.

16 Joseph M. Arpaio,
17 Steven R. Bailey,
Michele Iafrate, &
18 Gerard Sheridan,

19 Defendants.

2:16-CR-01012-SRB

**RESPONSE TO DEFENDANTS'
MEMORANDA ON STATUTE OF
LIMITATIONS UNDER 18 U.S.C. § 3285**

20 The government, by the United States Department of Justice, Criminal Division, Public
21 Integrity Section, files this response to the defendants' memoranda regarding the expiration of the
22 statute of limitations under 18 U.S.C. § 3285 for the concealment of the 1459 IDs and the fifty
23 Montgomery hard drives addressed in Judge Snow's Order re Criminal Contempt. *See* Order re
24 Criminal Contempt, ECF No. 1. The government agrees with the defendants' ultimate conclusion
25 and maintains its original position: 18 U.S.C. § 402 and the corresponding one-year statute of
26 limitations provided in 18 U.S.C. § 3285 apply to the conduct at issue; that alleged offense conduct
27 ended on July 24, 2015; the one-year statute of limitations was not tolled; and therefore, the statute
28

1 of limitations for a violation of 18 U.S.C. § 402 expired prior to Judge Snow's August 19, 2016,
2 Order re Criminal Contempt.

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4 Respectfully Submitted,

5 ANNALOU TIROL
6 Acting Chief, Public Integrity Section

7 By: */s/ John D. Keller* _____

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CERTIFICATE OF SERVICE

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I HEREBY CERTIFY that on today’s date, I electronically filed the foregoing via the CM/ECF system which will provide notice to counsel of record for the defendant.

/s/ John D. Keller
John D. Keller
Trial Attorney