

2. Defendant SOLOMON is providing the Court with *some* evidence of his standing to challenge the search of South Texas Wellness in the form of a notarized document dated December 9, 2004, purporting to concern financial dealings between the owners of South Texas Wellness Center and Dr. Christopher Elder. *See* South Texas Wellness Center payment list attached hereto as Exhibit "A" and incorporated by reference. Defendant SOLOMON's signature is contained within this document along with those of Defendant ELDER, Dr. Pleshette Johnson, and Ms. Ada Johnson. In addition, attached hereto as Exhibit "B" and incorporated by reference are Articles of Incorporation prepared in September, 2004, in anticipation of business dealings between the owners or purported owners of South Texas Wellness Center. Based on information and belief, however, these Articles of Incorporation were not filed with the Secretary of State for the State of Texas.

3. Defendant SOLOMON is unable to provide more detailed evidence of his standing within the time prescribed by the Court due, in part, to the United States' failure to make adequate discovery in this case. Specifically, as this Court is aware, the United States has failed to make available all those documents and tangible things seized in the search of South Texas Wellness Center. The United States has also failed to produce all those documents and tangible things contained in the Houston Division case file concerning the investigation of Dr. Peter Okose. Based on information and belief, proof of Defendant SOLOMON's standing may lie within this discovery. Defendant SOLOMON is unable to more fully comply with the Court's request until such time as the United States complies more fully with the Court's discovery orders. The United States is not expected to supplement this discovery until a date after Defendant SOLOMON was instructed to supplement his Motion to Suppress. *See* correspondence from AUSA Rudolph R. Rhodes IV dated October 27, 2008, attached hereto as Exhibit "C" and incorporated herein by reference.

4. In addition and in the alternative, proof of standing for Defendant SOLOMON may be in the form of sworn statements which Defendant SOLOMON has been unable to obtain in the time prescribed by the Court.

5. In the event that this Court finds the evidence attached hereto unpersuasive, Defendant SOLOMON requests additional time to obtain and review the United States' discovery before responding to the Court's request.

6. Defendant SOLOMON requests this Court find that he has standing based upon the information contained in the attached exhibits or, in the alternative, grant him an extension of time to provide evidence of standing.

7. This Motion is not made for the purpose of delay but in order to give Defendant SOLOMON adequate time to provide the information requested by the Court and in order that justice may be done.

WHEREFORE, PREMISES CONSIDERED, TROY SOLOMON, Defendant, prays that the Court find that he has standing to bring his Motion to Suppress All Evidence Obtained in Search of South Texas Wellness Center or that this Motion to Extend Time be granted. Defendant further prays for such other and further relief to which he may be justly entitled.

Respectfully submitted,

BANNWART & ASSOCIATES, P.C.

By:



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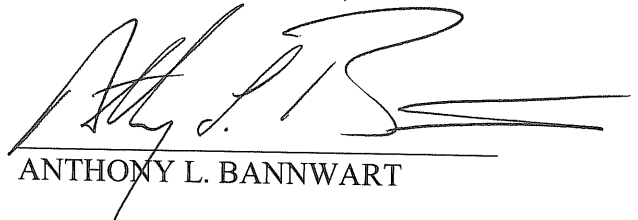
CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing Defendant Solomon's Supplemental Evidence in Support of Motion to Suppress All Evidence Obtained in Search of South Texas Wellness Center Together with Motion to Extend Time has this day been sent via electronic filing to all parties of record.

SIGNED this 27th day of October, 2008

BANNWART & ASSOCIATES, P.C.

By:

A handwritten signature in black ink, appearing to read 'Anthony L. Bannwart', written over a horizontal line.

ANTHONY L. BANNWART

ATTORNEYS FOR DEFENDANT
SOLOMON