

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)
)
 Plaintiff,)
)
 v.) Case No. 08-00026-05-CR-W-FJG
)
DELMON L. JOHNSON,)
)
 Defendant.)

NOTICE OF PRIOR CONVICTION OF THE DEFENDANT AND
NOTICE OF THE GOVERNMENT’S INTENT TO USE FOR IMPEACHMENT

Comes now the United States of America, by and through its undersigned counsel, and present defendant Delmon L. Johnson notice of his known prior conviction, and notice to this Court and the defendant of the Government’s intent to use for impeachment.

In the matter, defendant Delmon Johnson is charged with conspiring to illegally distribute controlled substances, in violation of 21 U.S.C. §§ 841(a)(1) and 846; one count of conspiracy to launder the illegally obtained proceeds in violation of 18 U.S.C. §§ 1956(a)(1)(A)(I), 1956(a)(1)(B)(I), and 1956(h); and four counts of illegal distribution of controlled substances, in violation of 21 U.S.C. § 841(a)(1). Defendant Johnson has a prior felony conviction: Theft of Mail by a Postal Employee, entered on August 14, 1998, in the United States District Court, Northern District of Texas, Case No. 3:98-CR-109-D (01).

If the defendant testifies at trial, the prior felony conviction will be used for impeachment purposes.

Respectfully submitted,

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By */s/ Rudolph R. Rhodes, IV*
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was delivered on this June 17, 2009, to the Electronic Filing System (CM/ECF) of the United States District Court for the Western District of Missouri for electronic delivery to all counsel of record.

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/s/ Rudolph R. Rhodes, IV

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RRR/rp