

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

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	No. 08-00026-04-CR-W-FJG
)	
CHRISTOPHER L. ELDER,)	
)	
Defendant.)	

**MOTION FOR LEAVE TO FILE A MOTION TO SUPPRESS ALL
EVIDENCE SEIZED FROM A TEXAS BUSINESS UNDER SEAL AND OUT
OF TIME WITH SUGGESTIONS IN SUPPORT**

On May 1, 2006 United States Magistrate Judge Calvin Botley of the Southern District of Texas issued a search warrant authorizing the search of a business in Houston, Texas. Defendant Elder was a part time employee of the business. The warrant and the affidavit in support of the warrant are presently filed under seal in Southern District of Texas.

Defendant was only recently provided a copy of the warrant and affidavit and has prepared a motion to suppress evidence seized from the business. Because the documents remain sealed in Texas and are referenced in defendant's motion, defendant submits that it is appropriate and necessary to seal his motion to suppress

pending further action by the United States Attorneys in Texas and Missouri and the Texas Court.

WHEREFORE, defendant moves the Court to enter an Order authorizing defendant to file his motion to suppress under court seal.

Respectfully submitted,

/s/

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CERTIFICATE OF SERVICE

I certify that a copy of this pleading has been caused to be served on the Assistant United States Attorney for Western District of Missouri and other ECF listed counsel through use of the Electronic Court Document Filing System on Wednesday, August 06, 2008.

/s/

JOHN R. OSGOOD