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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
NORTHERN DIVISION  
Case No. 02-14020-Cr-Moore/Lynch

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARCELLUS M. MASON, JR.

Defendant.

FILED



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CLERK U.S. DISTRICT COURT  
S.D. OF FLORIDA  
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DEFENDANT'S MOTION FOR RULING ON HIS  
MOTION TO DISMISS, MOTION FOR DECLARATORY RELIEF,  
MOTION FOR DUE PROCESS HEARING AND MOTION FOR PUBLICATION

Defendant, Marcellus M. Mason, Jr., by and through his undersigned attorney files this his Motion for a Ruling on his Motion to Dismiss, Motion for Declaratory Relief, Motion for Due Process Hearing and Motion for Publication, and states as follows:

1. This case is set for a non-jury trial before this Court on Monday, March 15, 2004 at 9:00 a.m. in Fort Pierce, Florida.
2. On November 27, 2002, the defendant filed his *pro se* Motion to Dismiss, Motion for Declaratory Relief, Motion for Due Process Hearing and Motion for Publication. This Court has not rendered a decision or ruling on said motion as of the filing of this motion. A decision or ruling on said motion should be rendered by this Court prior to trial.

  
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3. Undersigned counsel has attempted to contact Assistant United States Attorney Robert H. Waters, Jr., regarding this motion, but was unable to contact him. However, counsel anticipates that Mr. Waters does not have any objection to this motion.

WHEREFORE, the defendant requests that this Court rule on his Motion for a Ruling on his Motion to Dismiss, Motion for Declaratory Relief, Motion for Due Process Hearing and Motion for Publication prior to the trial which is set for March 15, 2004.


KATHLEEN M. WILLIAMS  
FEDERAL PUBLIC DEFENDER



Leon Daniel Watts  
Assistant  
Federal Public Defender  
Attorney for the Defendant  
Florida Bar No. 195374  
200 South Indian River Drive, Suite 207  
Fort Pierce, FL 34950  
TEL:(561) 461-9435 FAX:(561) 461-9474

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was mailed this 17<sup>th</sup> day of March, 2004 to Assistant United States Attorney Robert Waters, Jr., 505 South Second Street, Suite 200, Fort Pierce, FL 34950 and to Marcellus M. Mason, 218 Florida Drive, Sebring, Florida 32870.

A handwritten signature in black ink, appearing to read "Leon Daniel Watts", written over a horizontal line.

Leon Daniel Watts