# 09-10875

# IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

# UNITED STATES OF AMERICA, Plaintiff-Appellee,

v.

HOLY LAND FOUNDATION FOR

RELIEF AND DEVELOPMENT, et al.

Defendants



U.S. COURT OF APPEALS

FEB 1 0 2010

CHARLES R. FULBRUGE III

CLERK

APPEAL OF:

NORTH AMERICAN ISLAMIC TRUST, Movant-Appellant.

#### MOTION FOR EXTENSION OF TIME

The United States moves for an extension of time in which to file its brief, which is currently due on March 5, 2010. The government seeks a 28-day extension, to April 2, 2010. This appeal will be handled for the United States by an attorney in the Criminal Division of the Department of Justice, and he requires sufficient time to familiarize himself with an extremely lengthy and complex record in this appeal involving novel issues. No extension for the appellee's brief

Motion for extension of time - Page 1

has yet been requested or granted. This request is not solely for delay, but to allow government counsel sufficient time to file an adequate brief.

Respectfully submitted,

JAMES T. JACKS United States Attorney

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### Certificate of Conference

I certify that I conferred with Kevin Wisniewski, counsel for NAIT, and he is unopposed to this motion.

SUSAN COWGER Assistant United States Attorney

# Certificate of Service

I certify that a copy of this motion was mailed to Kevin Wisniewski, Locke Lord Bissell & Liddell, LLP, 111 S. Wacker Drive, Chicago, IL 60606, on February 9, 2010.

SUSAN COWGER <sup>U</sup> Assistant United States Attorney