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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**

UNITED STATES OF AMERICA,
Plaintiff,
vs.
LEONEL MICHEL VARGAS,
Defendant

) Case No.: CR-13-6025-EFS
) **Motion To Dismiss Based on**
) **Insufficient Evidence**
) **January 6, 2014 @ 10:00 a.m.**

COMES NOW, Defendant, by and through his attorney of record, John S. Matheson, and moves the Court for an order dismissing the above action. This motion is based upon the files and records herein, specifically the court's order granting defendant's motion to suppress (ECF 105), and the government's acknowledgement that it will not proceed to trial without the suppressed evidence (ECF 106). Defendant concurs with the government's assessment of the effect of the suppression order and the action should be dismissed.

DATED this 30th day of December, 2014.

s/John S. Matheson
JOHN S. MATHESON, WSBA No. 8288
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on December 30, 2014, I electronically filed the foregoing with the Clerk of the Court using the CM/EDF System which will send notification of such filing to the following: Benjamin Seal, Assistant United States Attorney

s/John S. Matheson
John S. Matheson, WSBA No. 8288
Attorney for Defendant