



initial brief on appeal was submitted to this Court in November 2004 and the government filed its brief in December 2004. The proposed amicus brief is untimely per Fed. R. App. P. 29(e), and no adequate excuse is shown.

3. The appellant allegedly desires deportation and repatriation to the Republic of Liberia, presumably on the basis of a valid conviction. However, again if the movant's supporting papers are taken as authentic, the Republic commenced its diplomatic overtures to the U.S. State Department in June 2004, roughly two years after this prosecution began, and renewed its request in August 2004, apparently without success. Accordingly, in the absence of intercession by the U.S. Department of State with the U.S. Department of Justice, this proceeding should go forward without the participation of the Republic of Liberia. See Abdulaziz v. Metro. Dade Cty., 741 F.2d 1328, 1331 (11th Cir. 1984); United States v. Lumumba, 741 F.2d 12, 15 (2nd Cir. 1984).

RESPECTFULLY SUBMITTED. this 14<sup>th</sup> day of March, 2005.

MAXWELL WOOD  
UNITED STATES ATTORNEY

BY:

  
\_\_\_\_\_  
DEAN S. DASKAL  
ASSISTANT UNITED STATES ATTORNEY

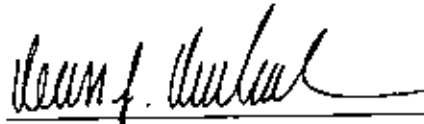
Address:

Post Office Box 2568  
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United States v. Dwight D. York  
Appeal No. 04-12354-II

CERTIFICATE OF INTERESTED PERSONS

Pursuant to Fed. R. App. P. 26.1 and 11th Cir. R. 26.1-1, the undersigned counsel of record certifies that no additional persons beyond those listed in the Appellant's Certificate have an interest in the outcome of this case.



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DEAN S. DASKAL  
State Bar No. 205715  
Attorney for Appellee

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CERTIFICATE OF SERVICE

I hereby certify that I have this day served a copy of the foregoing  
GOVERNMENT'S RESPONSE IN OPPOSITION TO MOTION FOR LEAVE TO FILE  
AMICUS BRIEF on the Defendant and upon movant's counsel by first-class mail,  
postage prepaid, addressed to Adrian L. Patrick, Esq., 1044 Baxter Street, Athens GA  
30606; and Cllr. Francis Y.S. Garlawolu, Opposite the DDDR Office, Capitol Hill,  
Monrovia, Liberia 011231-651-5306.

This 14<sup>th</sup> day of March, 2005.



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Adrian Lopez Patrick  
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1044 Baxter Street  
Athens GA 30606

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March 16, 2005

**Appeal Number: 04-12354-II**  
Case Style: USA v. Dwight D. York  
District Court Number: 02 00027 CR-CAR-5-1

CC: Matthew McGavock Robinson  
CC: Benjamin A. Davis, Jr.  
CC: Adrian Lopez Patrick  
CC: Dean S. Daskal  
CC: Maxwell Wood  
CC: Richard S. Moultrie, Jr.  
CC: Administrative File