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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  
) **Response to Government’s Motion**

COME NOW defendant, LEONEL MICHEL VARGAS, by and through his attorney John S. Matheson and in response to the government’s motion for reconsideration states that the government relied on the video which the government filed and the court has reviewed. Any “new” facts alluded to by the government are irrelevant. To the extent the court determines to actually consider such facts, the court should set an evidentiary hearing including the right to cross examine Agent Clem and consider a view of the premises.

DATED this 31st 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 31, 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