

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

UNITED STATES OF AMERICA,)	C.A. No. 10-50494, 10-50495,
)	10-50519, 10-50524
Plaintiff-Appellant,)	
)	D. Ct. No. 2:08-cr-00059-GW-1
v.)	(Cent. Dist. Calif.)
)	
Gerald Green;)	<u>MOTION FOR VOLUNTARY DISMISSAL</u>
Patricia Green,)	<u>OF APPEAL; DECLARATION OF</u>
)	<u>JONATHAN E. LOPEZ</u>
Defendants-Appellee/)	
Cross-Appellants.)	
_____)	

Plaintiff-Appellant United States of America, through its counsel of record, Department of Justice Attorney Jonathan E. Lopez, hereby withdraws its protective notice of appeal of the district court's determination of sentence.

Accordingly, the government moves this court for voluntary dismissal of its appeal in this matter pursuant to Rule 42(b) of the Federal Rules of Appellate Procedure and based on the attached declaration of Jonathan E. Lopez.

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DECLARATION OF JONATHAN E. LOPEZ

I, Jonathan E. Lopez, hereby declare and state as follows:

1. I am a Deputy Chief in the United States Department of Justice, Criminal Division.

2. I am assigned the criminal case, including the appeal, in United States v. Green et al., C.A. Nos. 10-50494, 10-50495, 10-50519, 10-50524. I make this declaration in support of the government's motion for voluntary dismissal of its appeal in this case.

3. On October 8, 2010, the government filed a protective notice of appeal. After consideration of this matter within the United States Attorney's Office, the Criminal Division of the Department of Justice, and the Office of the Solicitor General, the government now moves to dismiss its appeal of the district court's determination of sentence.

4. The defendants do not oppose the government's voluntary motion for dismissal.

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED this 23rd day of August, 2011, in Washington, DC.

/s/

JONATHAN E. LOPEZ
Deputy Chief
U.S. Department of Justice
Criminal Division
Asset Forfeiture and
Money Laundering Section