

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

04 SEP 30 PM 1:01

U.S. DISTRICT COURT
N.D. OF ALABAMA

UNITED STATES OF AMERICA,)
)
 v.)
)
 RICHARD M. SCRUSHY,)
 Defendant.)

CR-03-BE-0530-S *psb*

ENTERED

SEP 30 2004

ORDER

A Superseding Indictment was returned against Defendant Richard M. Scrushy by the Grand Jury for the United States District Court for the Northern District of Alabama on September 29, 2004. Defendant Scrushy's Motion to Dismiss or Consolidate Counts of the Indictment as Multiplicitous (doc. 146) is now moot because it was made in reference to the counts of the initial Indictment (doc. 1).

Accordingly, the court hereby ORDERS that Defendant Scrushy's Motion to Dismiss or Consolidate Counts of the Indictment as Multiplicitous (doc. 146) be **DISMISSED as MOOT.**

DONE and ORDERED this 30th day of September 2004.

Karon Owen Bowdre
KARON OWEN BOWDRE
UNITED STATES DISTRICT JUDGE