

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

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

UNITED STATES OF AMERICA, )  
 )  
v. ) CR-03-BE-0530-S  
 )  
RICHARD M. SCRUSHY, )  
 )  
Defendant. )

**Motion to Unseal and Reseal**

Comes now the United States, by and through the United States Attorney for the Northern District of Alabama, and moves the court to unseal the Indictment in the above styled cause filed October 29, 2003, for a limited purpose, then reseal the same, for the following reasons:

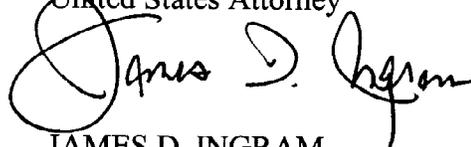
1. The United States seeks contemporaneously herewith in this district and in the Southern and Middle Districts of Alabama, and the Southern District of Florida, search warrants, writs of entry, and a restraining order to preserve the availability of assets for forfeiture pending final disposition of the above style cause.

2. Probable cause for the issuance of said warrants, writs and orders will be based in part on a probable cause finding that the defendant committed the relevant offenses. That probable cause is supplied by the Indictment in the above styled cause, which the United States intends to include in the affidavit to be made in support of the warrants, writs and orders.

For these reasons, the United States requests that the **INDICTMENT** be **UNSEALED** for the limited purpose of including it with the affidavit in support of the aforesaid search warrants, writs and orders, and that it otherwise **REMAIN SEALED**, and be **RESEALED**, pending the execution of the warrants, writs and orders. The United States further requests that this **MOTION** be **SEALED** for the same period.

Respectfully submitted, this the 30<sup>th</sup> day of October, 2003

ALICE H. MARTIN  
United States Attorney



JAMES D. INGRAM  
Assistant United States Attorney