

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)	
v.)	DOCKET NO. 3:06-CR-74 (Britt)
)	
(1) HOWELL WAY WOLTZ)	GOVERNMENT'S OPPOSITION TO
(4) VERNICE CHAITAN WOLTZ)	DEFENDANTS' MOTION TO
<hr/>)	DISMISS COUNT ONE

COMES NOW the United States of America, by and through Gretchen C.F. Shappert, United States Attorney for the Western District of North Carolina (Matthew T. Martens and Kurt W. Meyers, Assistant United States Attorneys, appearing), and hereby opposes Defendants' motion to dismiss Count One. In support thereof, the Government incorporates its memorandum in opposition to Defendant Graves' motion to dismiss Count One. (Docket #83.)

RESPECTFULLY SUBMITTED, this 22nd day of January 2007.

FOR THE UNITED STATES:

GRETCHEN C.F. SHAPPERT
UNITED STATES ATTORNEY

s/ **Kurt W. Meyers**
Assistant United States Attorney
VA Bar Number: 66666
United States Attorney's Office
227 West Trade Street, Suite 1700
Charlotte, North Carolina 28202
Telephone: 704.344.6222
Fax: 704.344.6629
E-mail: Kurt.Meyers@usdoj.gov

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of January 2007, the foregoing document was served electronically through ECF filing upon Defendants at the following addresses:

Attorneys for Defendant Howell Woltz:

William C. Mayberry
Matthew John Hoefling
Joshua Davey
Helms Mulliss & Wicker, PLLC
201 N. Tryon St.
Charlotte, NC 28202
bill.mayberry@hmw.com
matt.hoefling@hmw.com

Tolly Albert Kennon, III
Kennon & Associates
P.O. Box 34006
1028 West Fifth Street, Suite B
Charlotte, NC 28234-4006
KennonIII@aol.com

Attorney for Defendant Vernice Woltz:

Donald K. Tisdale, Sr.
Grace Tisdale & Clifton, PA
301 N. Main Street
Suite 100
Winston-Salem, NC 27101
dtisdale@gtc-law.com

GRETCHEN C.F. SHAPPERT.
UNITED STATES ATTORNEY

s/ **Kurt W. Meyers**
Assistant United States Attorney
VA Bar Number: 66666
United States Attorney's Office
227 West Trade Street, Suite 1700
Charlotte, North Carolina 28202
Telephone: 704.344.6222
Fax: 704.344.6629
E-mail: Kurt.Meyers@usdoj.gov