

RECEIVED
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UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION
U.S. DISTRICT COURT
MIDDLE DIST. OF GEORGIA
COLUMBUS, GEORGIA
-----X
CONNIE RHODES,

4:09-CV-106 (CDL)

**NOTICE OF MOTION
TO FILE A BRIEF
AMICUS CURIAE**

Hon. Clay D. Land, USDJ

Plaintiff,

-against-

THOMAS D. MACDONALD, Colonel,
Garrison Commander, Fort
Benning; *et al.*,

Defendants.

-----X
Sirs and Mesdames:

PLEASE TAKE NOTICE that upon the Court's Order filed 10/13/2009, [DE# 28] and upon all the proceedings had herein, the undersigned, Victor M. Serby, a concerned citizen, will move this Court (on submission) at a term held at the Courthouse October 29, 2009 to accept the attached brief *amicus curiae* pertaining to footnote 11 of said 10/13/2009 Order, wherein "[T]he Court wishes to explore the possibility of directing the financial penalty to the National Infantry Foundation at Ft. Benning, Georgia, which has as part of its mission the recognition of our brave soldiers who do their duty regardless of the personal sacrifice required and their own personal political beliefs. The Assistant U.S. Attorney shall file within thirty days of today's Order a short brief outlining the position of the United States as to whether such a monetary sanction can be used for this intended purpose," together with such other further and different relief that the court deems just and proper.

Dated: October 17, 2009
Woodmere, New York

Yours, etc.,



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To: *See attached service list*

ALL SERVICE VIA E-MAIL IN PDF FORMAT TO THE RESPECTIVE
ECF-DESIGNATED E-MAIL ADDRESSES ON THE DOCKET SHEET

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