

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT
OF INDIANA,
TERRE HAUTE DIVISION**

Jane GRAHAM , and	§	
V. Z. LAWTON ,	§	
Citizens of the State of Oklahoma,	§	
Plaintiffs	§	
	§	
v.	§	
	§	Cause No. TH 01-104-C-T/H
Harley LAPPIN , Warden,	§	
United States Penitentiary	§	
Terre Haute, Indiana,	§	No Oral Argument Requested
Defendant	§	
	§	
The Honorable Steve CARTER ,	§	
Attorney General, State of Indiana,	§	
a necessary party for matters involving	§	
public charitable trusts doing business	§	
in Indiana,	§	
Necessary Party	§	

**MOTION FOR LEAVE TO FILE
SUPPLEMENTAL STATEMENT
IN SUPPORT OF
PLAINTIFFS MOTION FOR (EMERGENCY)
TEMPORARY RESTRAINING ORDER**

Motion

Plaintiffs move that the court grant leave to file a Supplemental Statement in this case, arising from the recent activities in the Colorado court.

Basis for Motion

Late evening Thursday, 10 May 2001, and throughout the day Friday, 11 May 2001, the news have reported, via the internet and the traditional sources and methods, the fact that the FBI discovered manually some 3,000 pages of documents that were not turned over to defense

counsel at the time of trial. The result of that disclosure is that the Colorado court has granted a temporary rescheduling of McVeigh s execution date.

This development does not change Plaintiffs need to have prompt adjudication of the Temporary Restraining Order. The details as to why Plaintiffs interests are still very much in jeopardy are contained in the attached Supplemental Statement. In short, for so long as the schedule is subject to change, nothing exists to prevent that ruling from changing again, and for so long as McVeigh is still subject to execution, that next change, however unlikely it may seem right now, could, for example, put him back on the original schedule.

Prayer for Relief

For the reasons stated in this Supplemental Statement, given the new developments in the underlying case in Colorado, Plaintiffs still request that this court grant Plaintiffs Motion for (Emergency) Temporary Restraining Order.

Respectfully submitted,

Harmon L. Taylor
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Lawyer for Plaintiffs

CERTIFICATE OF SERVICE

On this the 15th day of May, 2001, I certify that I have served upon the following parties, by certified mail, return receipt requested, the foregoing Motion for Leave to File Supplemental Statement In Support Of Plaintiff s Motion for (Emergency) Temporary Restraining Order:

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