

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA : CRIMINAL ACTION
v. :
MALKIEL SAR SHALOM AMOS : NO. 08-cr-408
a/k/a "Sar AMOS"

MEMORANDUM ORDER

THOMAS J. RUETER
Chief United States Magistrate Judge

July 18, 2008

Defendant filed a Motion To Terminate Charges in the Criminal Complaint filed on June 16, 2008. (Doc. No. 7). Specifically, defendant challenges the sufficiency of the evidence to support the two charged violations of the Immigration laws, 8 U.S.C. §§ 1326(a) and (b)(3).

In its Response, the Government notes that the Grand Jury returned an Indictment against defendant only charging violations of 18 U.S.C. §§ 2252(a)(2) and (a)(4)(B), receipt and possession of child pornography. Because the government is not proceeding with the earlier charged violations of 18 U.S.C. § 1326, the issues raised by defendant in his motion to terminate charges are now moot.

Therefore, the court **DENIES** the motion as **MOOT**.

BY THE COURT:

/s/ Thomas J. Rueter
THOMAS J. RUETER CHIEF
MAGISTRATE JUDGE