

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

**FILED UNDER SEAL**

In re:  
HERBERT S. MONCIER  
BPR NO. 1910

**Respondent's Motion This Court Abstain From Hearing Or  
Ruling On The Show Cause Order Until After The Appeal In  
United States v. Moncier**

An appeal is pending in the Sixth Circuit Court of Appeals from the findings of District Judge J. Ronnie Greer as to the conduct of Respondent on November 17, 2006.

The transcript was recently received by the Sixth Circuit and briefs are due in March 2006. Respondent intends to request expedited consideration.

Abstention of hearing or ruling on the Show Cause Order will allow the Sixth Circuit to address many of the issues presented by Respondent in his defense and provides for a simple, inexpensive determination of those issues.

WHEREFORE Respondent moves this Court abstain from hearing or ruling on the Show Cause Order to permit the Sixth Circuit consider and resolve some of the issues presented in this case.

This 24th day of February 2008.

  
HERBERT S. MONCIER

Respondent

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BPR # 1910

**Certificate**

The undersigned certifies that on February 24, 2008, pursuant to the Court's directive, the foregoing Motion for Relief has been served only upon Geneva Ashby, Division Manager, 209 Joel. W. Solomon Federal Building and United States Courthouse, 900 Georgia Avenue, Chattanooga, TN 37402, by United States Mail, with proper postage thereon, to e filed under seal.

  
HERBERT S. MONCIER

Respondent