

KAFB 91

March 25, 1970

IN THE COURT OF APPEALS FOR THE STATE OF NEW MEXICO

ENTERED

UNITED STATES OF AMERICA,
DEPARTMENT OF THE AIR FORCE,
Appellant

vs.

No. 12,550

STATE OF NEW MEXICO,
ENVIRONMENTAL IMPROVEMENT DIVISION
OF THE HEALTH AND ENVIRONMENT DEPARTMENT,
Appellee.

MOTION TO REQUEST ORAL ARGUMENT

COMES NOW, the United States of America, Department of the Air Force, Appellant, and respectfully requests this Court to allow oral argument in the above case under the provisions of SCRA 12-214B. Under the provisions of SCRA 12-214B(1), this request is timely made and filed at the same time as Appellant's Reply brief.

Oral argument would be beneficial to the Court because of the unique nature of environmental permits and the technical information inherent in the issues on appeal. The record in this proceeding consists only of the documents in the record proper and the hearing transcript, there is no district court proceeding to review concerning the underlying facts. Appellant submits that the Court would be greatly assisted in its decision by hearing oral argument because a more complete case can be presented on the technical merits of the appeal.

KAFB1109

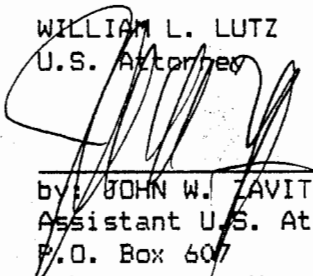


Therefore, Appellant respectfully requests the Court to allow oral argument on the above case.

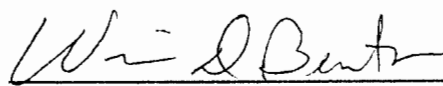
Respectfully submitted,

FOR APPELLANT:

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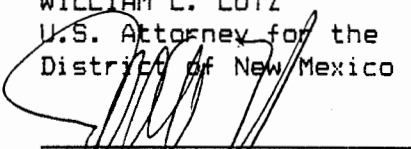
CERTIFICATE OF SERVICE

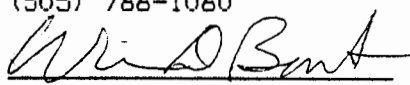
I hereby certify that a copy of the foregoing Appellant's Motion to Request Oral Argument was mailed to the following counsel of record this 25th day of March, 1991:

For the Appellee:

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