

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

AUG 12 2020

JAMES N. HATTEN, Clerk
By:  Deputy Clerk

UNITED STATES OF AMERICA
Plaintiff,

CRIMINAL ACTION

v.

CASE NO. 1:20-CR-228

MAURICE FAYNE,
FICTITIOUS DEFENDANT
Defendant,

CASE NOS. 1:20-MJ-370, 364,
361, 360, 355 and 1:20-MC-833,
1:20-CR-228-MHC-JKL,
1:20-CR-228-MHC-JKL

MOTION FOR DISCOVERY
AND MOTION TO COMPEL

DEMAND FOR SPECIFIC DISCOVERY

COMES NOW fayne, marurice johnson el, real party in interest, a Moor
American National, but not a citizen of the UNITED STATES demands specific
discovery *Under* THE CONSTITUTION OF THE UNITED STATES OF
AMERICA.

1. The search and seizure warrant as specifically required and outlined in
detailed in THE CONSTITUTION OF THE UNITED STATES OF AMERICA
4TH AMENDMENT. **The right of the people to be secure in their persons,
houses, papers, and effects, against unreasonable searches and seizures, shall
not be violated, and no Warrants shall issue, but upon probable cause,**

supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.

2. The arrest warrant as specifically required and outlined in detailed in THE CONSTITUTION OF THE UNITED STATES OF AMERICA 4TH AMENDMENT. **The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized**

3. Dash Cam, Body Cam and all recording devices audio and video related to the above mentioned case.

4. Electronic communications i.e. (email(s), text messages, records of phone calls by cell phones, wiretaps, wiretap warrant, internal land lines related to the above mentioned case.

5. List of names of all Law Enforcement officers, including Federal, State and local involved, directly or indirectly with the above mentioned case.

6. Complaint records of all law enforcement involved with the above mentioned case.

7. Statements of **all** witnesses involved, directly or indirectly involved with the above mentioned case.
8. Bill of Particulars from the Grand Jury
9. The signed Affidavit under oath that accompanied the search and seizure warrant.
10. The signed Affidavit under oath that accompanied the arrest warrant.
11. The signed Affidavit under oath that accompanied the original criminal complaint.
12. Grand Jury testimony of all jurors.
13. Field notes of all Agents of the United States involved at the time of indictment.
14. Federal Rules and Guide Lines of CARES ACT OF PPP LOAN at the time the application in this case was filed which was April 4th, 2020.
15. Character Evidence; Crimes or other Acts of the victim.

REQUEST TO COMPEL DISCOVERY

Federal Rules does not require a defendant or alleged defendant to file a motion for discovery,

nor does it require the government to file a motion for reciprocal discovery. The parties are therefore expected to provide discovery promptly and to do so without an order. A pre-trial conference has been requested multiple times by the alleged defendant.

JENCKS ACT

Jencks Act material may not be ordered disclosed until a witness has testified. Nevertheless, the government is encouraged to disclose this material as early as possible to avoid delays.

BRADY/GIGLIO

The government must comply with its Constitutional obligation to disclose any information known to it that is material to the guilt or punishment of the defendant whether or not the defendant requests it. *Brady v. Maryland*, 373 U.S. 83 (1963); *Giglio v. United States*, 405 U.S. 150 (1972). *Brady and Giglio* information must be disclosed in time for effective use at trial. *In re United States (United States v Coppa)*, 267 F.3d 132, 142 (2d Cir.2001); *United States v. Olson*, 697 F.2d 273 (8th Cir. 1983). *Cf. United States v Higgs*. 713 F.2d 39, 44 (3d Cir. 1983).

NEWLY DISCOVERED INFORMATION

It is the continuing duty of the UNITED STATES ATTORNEY(s) and alleged defendant to disclose to opposing counsel or alleged defendant in propia persona all newly discovered information or other material within the scope of the rules.

PRE- TRIAL MOTIONS

Motions that arise from Jencks Act material are excluded from the deadline set by the court, pursuant to the rules.

I declare (or certify, verify, or state) under penalty of perjury under the laws of the United States of America that the foregoing is true and correct

Respectfully submitted this 10th day of August, 2020, by:



Maurice Johnson Fayne-el

maurice johnson fayne el

CERTIFICATE OF SERVICE

I hereby certify that the foregoing Motion to Suppress Criminal Affidavit and all other Evidence has been formatted in Times New Roman 14 pt., in accordance with Local Rule 5.1B, and was electronically filed this day with the Clerk of Court using CM/ECF system which will automatically send email notification of such filing to the following counsel of record:

James N. Hatten Clerk of Court

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