

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF GEORGIA
3 ATLANTA DIVISION

4 United States of America,

ZOOM VIDEOCONFERENCE

5 vs.

Docket No.

6 1:20-cr-00228-MHC-JKL

7 Maurice Fayne,

8 Defendant.

PART 2 OF 2

9
10 TRANSCRIPT OF STATUS CONFERENCE
11 HELD BY ZOOM VIDEOCONFERENCE
12 BEFORE THE HONORABLE LINDA T. WALKER
13 UNITED STATES MAGISTRATE COURT JUDGE
14 MONDAY, JULY 27, 2020

15 Appearance of Counsel:

16 For the Plaintiff:

Michael John Brown, Esq.
John Russell Phillips, Esq.
Bernita Malloy, Esq.
Assistant United States Attorneys

19 For the Defendant:

Pro Se

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22 Judith M. Wolff, CRR
23 Official Court Reporter
24 1914 United States Courthouse
25 75 Ted Turner Drive, S.W.
Atlanta, Georgia 30303
judith_wolff@gand.uscourts.gov

1 (Court was called to order.)

2 COURTROOM DEPUTY: Your Honor, if we could wait just
3 one more second, Mr. Brown would like to attend as well. He
4 will be with us shortly.

5 (Pause.)

6 COURTROOM DEPUTY: Your Honor, Ms. Malloy is
7 entering, and she should be here shortly.

8 (Pause.)

9 COURTROOM DEPUTY: Your Honor, I believe all
10 participants are present.

11 Thank you, your Honor.

12 THE COURT: Okay. We're waiting on Mr. Fayne?

13 COURTROOM DEPUTY: Mr. Fayne, if you could move your
14 computer so that we can see you.

15 Mr. Brown and Ms. Malloy, if you could please unmute.

16 Thank you.

17 THE COURT: Good morning.

18 The Court calls the case of United States of
19 America vs. Maurice Johnson Fayne, also known as Arkansas Mo.
20 This is criminal indictment No. 1:20-cr-228.

21 The Court would note for the record that we have, on
22 behalf of the government, Russell Phillips, Bernita Malloy,
23 and Michael Brown.

24 On behalf of the defendant, the Court would note at
25 this juncture Mr. Fayne has indicated his desire to represent

1 himself in this action until such time as he is able to retain
2 an attorney.

3 I considered appointing stand-by counsel, which is
4 normally what happens in these cases, but I will speak to the
5 judge who has been assigned to this case, and that is Judge
6 Larkins, to see whether or not he would like to follow up with
7 this and whether or not he wants to assign stand-by counsel.

8 Mr. Fayne, stand-by counsel is someone to help you in
9 case you have questions until such time as you are able to
10 retain an attorney. This is somebody who you can ask
11 questions of and someone you can run ideas freely and discuss
12 the evidence in the case with if you have legal questions.

13 I spoke to you earlier regarding the fact that you
14 don't have any legal training, but you feel comfortable enough
15 to proceed on your own, again, until such time as you're able
16 to retain an attorney.

17 So unless you tell me now, I'll let the judge who is
18 assigned the case decide whether or not to appoint stand-by
19 counsel to assist you, if you need it. Okay.

20 THE DEFENDANT: Yes, ma'am.

21 THE COURT: Okay. So that's it.

22 He has been arraigned. I understand that more than
23 likely what will happen, I anticipate -- but again, this can
24 be something that the magistrate judge, which is Judge
25 Larkins, again, Mr. Fayne can take up whether or not -- more

1 than likely what normally happens in these cases, too, is that
2 the government is going to probably ask for a protective order
3 with regard to dissemination of some of the evidence against
4 you if you are appearing on your own behalf, pro se.

5 So that's where we are. And I will inform Judge
6 Larkins as to whether or not he wants to me to handle it or if
7 he is going to go ahead and do that because he may have all
8 the parties in for a pretrial conference or something.

9 Okay. Any questions.

10 MR. PHILLIPS: We understand, your Honor. That's
11 fine with us.

12 THE COURT: Okay. Any questions, Mr. Fayne?

13 THE DEFENDANT: I understand.

14 THE COURT: Okay. If there is nothing else in front
15 of me, everybody have a good day.

16 MS. MALLOY: You too, your Honor.

17 MR. PHILLIPS: Thank you, Judge.

18 THE COURT: Mr. Fayne, let me just say, I told you
19 earlier when we were one-on-one, ex parte in-camera hearing
20 that the proceedings are recorded, but I tell this not just
21 you, but any pro se party that is appearing before the Court,
22 you are not allowed to videotape or to record any of the court
23 proceedings. Do you understand that?

24 Whether it's with me or as you are going forward with
25 the other judges. Okay? That will be a direct order of the

1 Court. You are not allowed to record the proceedings; do you
2 understand?

3 THE DEFENDANT: Yes, ma'am.

4 THE COURT: Okay. Thank you.

5 If there is nothing else, have a good day.

6 Bye-bye.

7 MR. BROWN: Thank you, Judge.

8 MS. MALLOY: Thank you, Judge.

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10 (Proceedings were adjourned at 10:45 a.m.)

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TRANSCRIBER'S CERTIFICATION

I, Judith M. Wolff, a Certified Realtime Reporter,
with offices in Atlanta, Georgia, do hereby certify:

That I transcribed the proceedings digitally recorded
on Monday, July 27, 2020, in the matter of USA vs. Maurice
Fayne, aka Arkansas Mo, Case No. 1:20-cr-00228-MHC;

That said audio recording of the proceedings were
reduced to typewritten form by me;

That "indiscernible audio" designations are the
result of technological limitations beyond my control;

And that the foregoing transcript is a true and
accurate record of the proceedings.

Date: October 26, 2021

s/ JUDITH M. WOLFF, CERTIFIED REALTIME REPORTER
Signature of Transcriber