

FEB 25 2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

FILED

UNITED STATES OF AMERICA
RESPONDENT

*

CASE NO: CR 323-00003

V.

*

GLADYS HARUN
PETITIONER

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MOTION FOR DISCOVERY AND PRODUCTION OF DOCUMENTS PURSUANT TO
RULE 6 GOVERNING 28 U.S.C 2255

Comes now petitioner Gladys Harun in PRO SE and files this motion to invoke civil discovery and production of documents pursuant to rule 6(a) and (b) governing 28 U.S.C 2255 proceedings. In support, petitioner shows the court the following:

Rule 6 of the rules governing 28 U.S.C 2255 proceedings entitles litigants to request discovery process available under the Federal Rules of Civil Procedure, if good cause is shown and the court exercises its discretion allowing discovery. Federal Rules of procedure(civil), rule 26(c) through 36 provides a wide range of discovery devices available which includes but is not limited to: Depositions, Production of Documents or other physical and mental examinations, Requests for Admissions and interrogatories, Permission to enter upon land or other property for inspection or other purposes. The court may appoint counsel for indigent prisoners if necessary, for effective utilization of discovery. See 18 U.S.C 3006A.

Good cause for discovery exists under rule 6(a) governing section 2255 cases (Habeas Relief) where specific allegations before the court showed reason to believe that petitioner may, if the facts are fully developed be able to demonstrate that she

is entitled to relief. See Harris v. Nelson, 394 U.S. 286, 89 S. Ct. 1082, 22 L. Ed. 2d 281 (1969); Bracy v. Gramley, 520 U.S. 899, 117 S. Ct. 1793, 138 L. Ed. 2d 97 (1998); Payne v. Bell, 89 F. Supp. 2d 967 (W.D. Tenn. 2000).

Petitioner has already filed a statement of declaration in support of her 2255 and has filed a 2255 motion as well with the court. She has detailed the facts concerning Ineffective assistance of counsel and prosecutorial misconduct that cumulatively prejudiced her prosecution. These unprofessional errors and omissions by defense counsel constitute ineffective assistance of counsel and warrants an evidentiary hearing to resolve the factual dispute. See Valentine V. United States, 488 F.3d 325, 332-333 (6th Cir., 2007); Griffin v. United States, 330 F.3d 733, 739 (6th Cir. 2003).

Petitioner seeks leave to conduct discovery, production of documents and disclosures from the United States. Petitioner hereby request release of the following documents towards litigating of her 2255:

1.) Warrants for seizure of her bank accounts
2.) warrants to access and download items from her IPP internet address of her house
3.) Grand Jury indictment transcripts, notes and documents for both 1st and 2nd indictments
- 4.) Interview notes and reports on interviews conducted on her employees and tax clients who filed returns in her locations

These records that petitioner seeks are necessary for the support of arguments raised in her 2255. Petitioner has referenced her unlawful warrants and indictments and illegal access of her home internet IPP address that prosecution used to devise the charged crimes. Petitioner therefore needs these documents to support and decide issues presented in her 2255 in fairness and equity.

Goodcause is hereby shown because production of these requested documents will establish the validity of petitioner's constitutional claim that defense counsel provided ineffective assistance by failing to challenge prosecutorial misconduct among other deficiencies that entails failure to advocate for petitioner in general. A discussion on these attorney deficiencies is presented in the 2255 motion.

Wherefore now above premises considered, petitioner hereby moves this court to grant leave to conduct discovery and release the mentioned documents for this cause pursuant to rule 6(a)(b) of the rules governing 2255 proceedings.

done this on 02/16/2025

Respectfully submitted,

Gladys Harun



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