

United States District Court
For the District of Rhode Island

United States of America / Core No.
v.
David Stanley,

20-CR-00074-MSM
RECEIVED

OCT 20 2022

Motion to Strike

U.S. DISTRICT COURT
DISTRICT OF R.I.

The following Motion is presented to the honorable court by the Defendant, Prisé due to the denial of the court to appoint competent counsel to the defendant in these proceedings. The Defendant is not an attorney and is incarcerated during Covid-19 protocols with the limited access to resources, legal retence and communication limiting the Defendants abilities significantly to be anyway effective.

(see Attached)

On or about October 6, 2022, Assistant U.S. Attorney Lee H. Vilker filed a response to the court which in typical form grossly manipulates and shows continued deception upon the court. AUSA Lee Vilker makes broad statements consistently like "Massachusetts State Police" confirmed - "they assert" these are meaningless and not factual as per his pattern there are no specifics like; who from the state police, dates of these multiple attempts, how did they attempt to communicate and why did they simply not retort to the court, FBI or U.S Marshalls?

seems improbable that the Massachusetts State Police made such an effort "multiple occasions" as stated by Zoe Vilker when the case is Federal and all they had to do is contact the FBI. It is more likely nothing was ever done and AVSA Zoe Vilker, as he has had a propensity to do time/exhibit and time again in these proceedings, has exaggerated, manipulated and outright lied in order to portray the Defendant and now disgracefully an 82 year old elderly family member in a false light.

The license appeared on FBI reports and property lists as well in media reports to be in the possession of Federal law enforcement. There was no attempts by the Massachusetts State Police to return the license and without inquiry there would be no reason for them to make "multiple" attempts as portrayed by AVSA Zoe Vilker. Additionally, at the filing of this motion the FBI has made an/one attempt to contact Judith Saaborn on Friday, October 7th. The agent came unannounced and Ms. Saaborn was not home. Judith Saaborn called and left messages for the FBI on Saturday, October 8th. The license as well as the Defendant's wallet and the additional contents have not been returned.

Assistant U.S. Attorney Lee Vilker has developed a pattern of prejudice over the course of these proceedings of untruthful and bias statements used to manipulate the court and portray the defendant, who is without counsel and without the ability to defend himself from such outrageous mistruths, and now an 82 year old elderly family member in a false light.

At no point has the court held AUSA Vilker to any legal standard, rather in his position he should be held to a higher standard.

The Defendant respectfully request the court to strike, AUSA Lee Vilker motion due to its flagrant exagerration and lack of factual content. Additionally, the Defendant again request the return of his property in totality, license, wallet and personal content please.

The Defendant would also request that AUSA Lee Vilker be removed from participating in his present roll in these proceedings. He has prejudice the Defendant and continues to make flannoyant and untruthful statements in proceedings mandated by the First District Court of Appeals. As new counsel has been appointed by the U.S. Attorneys Office.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA)
) Criminal No. 20-074-MSM
 v.)
)
 DAVID STAVELEY,)
 Defendant.)

) Criminal No. 20-074-MSM

)

)

)

**GOVERNMENT'S RESPONSE TO DEFENDANT'S
MOTION FOR RETURN OF PROPERTY**

Defendant David Staveley ("Staveley") moved this Court (ECF #100) to compel the Government to return to him his Massachusetts driver's license. In that motion, defendant claims that the FBI came into possession of the driver's license when defendant left it in his vehicle when he staged his suicide. In response to this motion, the undersigned contacted the FBI, which confirmed that they do not have and never did have defendant's driver's license in their possession. However, the FBI reached out to the Massachusetts State Police, the law enforcement agency that responded to defendant's abandoned vehicle. The Massachusetts State Police confirmed that they do have defendant's driver's license in their possession. They assert that they attempted to return the license to defendant's mother on multiple occasions but that she did not accept it. The FBI will now take possession of the driver's license and attempt to return it to defendant's mother, who previously took possession of some of defendant's other personal belongings.

For the foregoing reasons, defendant's motion should be denied as moot.

Respectfully submitted,

ZACHARY A. CUNHA
UNITED STATES ATTORNEY

/s/ Lee H. Vilker
LEE H. VILKER
Assistant U.S. Attorney

Respectfully Submitted

David Staveland

David Staveland
Pro Se

Enclosure: Affidavit of
Jedeth S. Sanborn