United States District Court
District of Rhode Island

United States of America
v.
David Staveley

Case No. CR-00074-MSM

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

Defendant's Motion in Objection to Government's Motion for 30 Day Continuance.

The following motion is presented to the honorable court by the Defendant Pro Se. The Defendant was denied counsel by the court and he is not an attorney nor does he have any legal experience. The Defendant is submitting this motion without advice of counsel, while incarcerated, without any court notification (Court Docket, Electronic Filings, Court Decisions) in the last 45 days, with limited resources and during Covid-19 protocals creating a limited ability for the Defendant to communicate, garner information or to achieve any level of success in this matter.

The Defendant objects to an additional 30 day continuance in this matter and requests a hearing. The Prosecution delayed and used 60 previous days frivolously. The Defendant should not be punished. Attorney Knight has previously addressed the allegations in the Defendants 2255 and produced documents and testimony to the Rhode Island Supreme Court Disciplinary Board.

In that proceeding Knight alleged that he produced and provided all relevant documents relating to the allegations in the 2755 as well as written responses.

Defendant has already placed all these documents in the record. See Motion 79 with all Attachments and Addendum (Complete Disciplinary Board Discovery and Testimony)

There are few District Court Documents because as the Appeals Court has noted, both Attorneys who supposedly represented the Defendant failed to file anything which benefitted the Defendant, including a continuance which Knight admittedly never consulted or obtained the defendant's assent to, a fee agreement which he extorted Defendant's signature on (6) months after he began his representation of the Defendant and Knight has repeatedly and continues the lie about, that same agreement he admits to forging and back dating the document some six (6) months, and a plea agreement which Defendant only signed because he was never provided the Government's evidence in the case and based upon the faulty advice of Knight.

Additionally, Knight had to be admonished "with emphasis" by the Appeals Court to perform his professional responsibility in this matter.

Knight never rendered the Defendant an invoice and there is no credible (at this date, months later) reconciliation of the time or tasks Knight allegedly spent on Defendant's matter and which would appear in the "Declaration" suggested by the Government.

The Court is aware that the Defendant is presently incarcerated, has denied Defendant's motion for appointment of counsel, has no likelihood of success on his constitutional claims, is not an attorney and has no legal knowledge to navigate the factual complexity and legal intricacy of this matter, and as a prisoner cannot investigate or develop the factual record necessary to create an effective presentation in this claim.

The Defendant has not received a copy of the current criminal court docket nor notice of any electronic or other filings or decisions made by the Court since September 15, 2022. making it even more difficult for Defendant, in the absence of advice of counsel to adequately and effectively follow and respond in this matter so as to effectively advocate the Defendant's rights

Rather than the "Declaration" suggested by the Government which the Defendant is not able to cross examine, The Defendant requests that the Court require Knight to appear and

11/3/22
page 4

Case No. CR-00074-MSM

and testify in the matter at hand so that Defendant may exercise his Constitutional Right to cross examination.

In that respect, Defendant requests that the Court issue a bring down order so that Defendant may appear in the hearing on this matter and/or order the Defendant to Home Confinement so that the Defendant may adequately represent himself pro se' as ordered by the Court.

As it presently stands, Defendant is significantly prejudiced by the Court's Order denying Counsel especially since the lack of notice of the filings and decisions in this matter since September 15, 2022 a period of more than 45 days. This demonstrates the Courts bias in this matter has only been exceeded by its ongoing partiality. The Defendant has had his hands tied when the Court denied counsel and now the court has rendered the Defendant deaf and blind by not issuing the criminal court docket, electonic filings and court decisions in the last 45 days while knowing the Defendants limited abilities to defend himself while incarcerated.

Respectfully Submitted

David Staveley