

11/18/22
page 1United States District Court
District of Rhode IslandUnited States of America
v.
David Staveley

Case No. 20-CR

NOV 29 2022 MSJ
U.S. DISTRICT COURT
DISTRICT OF R.I.Motion for Leave to Amend
Petition under 18 USC Section 2255

The following motion is presented to the honorable court, by the Defendant Pro Se. The Defendant was denied counsel by the court and is not an attorney. The Defendant is submitting this motion without advice of counsel, while incarcerated, without any court docket, decisions by the court, notices or any matters taken by the court in this proceeding for over 80 days, with limited ability and resources during Covid-19 protocols hindering or completely eliminating the Defendant's communication and gather information needed in this proceeding.

Now comes David Staveley and request the Court to grant him permission, under rule Fifteen (15), to amend his previously filed petition under Section 2255 and in support thereof states as follows:

1. On 8/29/22 Staveley filed a petition under 18 USC Section 2255 challenging his sentence based upon inter alia, ineffective assistance of his counsel, Jason Knight.
2. Staveley is incarcerated at FMC Devens in Massachusetts and has been greatly hindered and prejudiced in his ability to investigate and develop facts

2. (cont.) to support the allegations contained in his petition and also concerning the facts and circumstances surrounding his prosecution by the Government.

3. Although Staveley requested assistance of counsel his motion for appointment of counsel was denied by the Court, further prejudicing this proceeding.

4. The limited resources available to Staveley while being incarcerated have greatly impacted his ability to advance his petition on a *pro Se* basis.

5. Information has recently come to Staveley's attention surrounding the relationship between Staveley's Counsel, who never revealed or informed his client that Knight was an elected official, part of the State General Assembly, and a member of the House of Representatives leadership. Knight never disclosed his relationships with elected officials from Warwick, R.I. or his communication with these individuals who are very powerful elected officials. Both the Speaker and Sen. McCallum are from Warwick and were or had an involvement in matters relevant to these proceedings which Knight undoubtedly was aware of and did not disclose.

6. Staveley would request the Court to allow Staveley to amend his petition to include allegations concerning these undisclosed relationships between

6. (cont.) his counsel and the before mentioned individuals, their associates and clients which may have negatively impacted Staveley and to pursue discovery in this matter with respect to the relationships between Jason Knight and these individuals, associates and their clients as it relates to possible improper collusion.

7. No prejudice should accrue to any party as the Court has not yet, to Staveley's knowledge, scheduled a hearing on the mandated collateral hearing in this matter.

8. Staveley asserts that he should be allowed to pursue all relevant facts which would lead to admissable evidence in support of his petition under Section 2255.

Wherefore, Staveley submits this motion for consideration by the Court and requests:

A. That the Court grant his motion to amend his petition under 18 USC 2255; and

B. That the Court grant Staveley home confinement as to not prejudice him any further in his pursuit for justice; and

C. Such other and further relief and orders as the Court deems appropriate.

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Respectfully Submitted,

D. Starey
David Starey
Pro Se