

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

Case No. - CR-00074-MSM

RECEIVED
DEC 09 2022
U.S. DISTRICT COURT
DISTRICT OF R.I.Motion to request timely updates
by the Court as to Petitioners filings

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 notifications, Court Docket, notices, filings, or Court decisions in the last 60 days, with limited resources and during Covid-19 protocols creating a limited ability for the Defendant to communicate, garner information or to achieve any level of justice or success in these proceedings.

Now comes the Defendant, David Staveley, the petitioner under 18 USC, Section 2255 and requests that the Court provide weekly updates as to filings, decisions and any/all other docketed matters concerning his filings and petition. In support thereof states as follows:

1. On 8/29/22 Staveley filed a petition challenging his sentence in the Court.
2. Staveley is and has been at all times, in relation to this petition, incarcerated at FMC Devens in Ayer, Massachusetts.

3. Staveley has no access to the electronic filing system, which the court is well aware of, in this matter and is acting Pro Se against his will.
4. The Court has previously denied Staveley assistance of Counsel, his motion for appointment of counsel to assist him in this matter having been denied on 8/18/22.
5. During the pendency of this matter the Court has kept Staveley apprised of notices, filings and decisions by sending copies of same via U.S. Mail to Staveley at FMC Devens, but then abruptly stopped without notice.
6. Since 9/15/22 and as of the date of this motion, some (60) sixty-plus days, Staveley has not received copies of relevant matters on the Docket in this matter. Prejudicing the petitioner for over 60 days without any court notifications on actions, filings and decisions and leaving him voiceless. Specifically, actions by the court to waive defendant's rights without the defendant having any ability to be heard with accuracy.
7. The Court has been notified of this omission since 11/4/22 via motion duly sent to the Court. The Court was again notified via motion on 11/7/22 and 11/10/22, but has done nothing to rectify this prejudicial failure. Demonstrating total disregard for the Defendant rights.

11/18/22
page 3

8. Stareley has a copy of the return receipt card for the 11/4/22 motion and the two (2) subsequent motions notifying the court. Attached hereto is Exhibit A, indicating the (3) motions were received by the Court, but still nothing has been done.

Wherefore Stareley hereby requests the following reliefs:

A. That the Court require the Clerk's office to update Stareley at least weekly by U.S. Mail to Stareley at FMC Devens with copies of all notices, filings, decisions and other matters relevant to his petition; and

B. All matters during the period of September 15, 2022 to present day, the period that Stareley was denied access to matters and all decisions in these proceedings he was never allowed knowledge of, should be set aside and the Defendant should be granted the ability to be heard for the first time. The Defendant has been rendered mute by the Court as decisions have been made without his knowledge waiving his rights.

C. Stareley request relief in a form that allows for him, based on being denied counsel, to adequately advocate for himself and have a legitimate ability for justice in these proceedings.

D. Such other relief and Orders the Court finds just and necessary in light of the extensive evidence already provided.

Respectfully Submitted
D. Staveley
David Staveley
Pro Se

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PS Form 3811, July 2020 PSN 7530-02-000-9053

(over 200)

Domestic Return Receipt

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

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Article Addressed to:

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Article Number (Transfer from service label)

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☐ Adult Signature Restricted Delivery	☐ Registered Mail Restricted Delivery
☐ Certified Mail®	☐ Signature Confirmation™
☐ Certified Mail Restricted Delivery	☐ Signature Confirmation Restricted Delivery
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4. Is delivery address different from item 1? If YES, enter delivery address below:

☐ Yes ☐ No

5. Received by (Printed Name)

6. Date of Delivery

7. Signature

8. Agent

9. Addressee

COMPLETE THIS SECTION ON DELIVERY

1. Article Addressed to:

Office of Atty. Jason Knight
One TFKS Head Place
Suite 1440
Providence, RI 02903

9590 9402 6782 1074 9865 01

2. Article Number (Transfer from service label)

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3. Service Type

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☐ Certified Mail®	☐ Signature Confirmation™
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Exhibit A