

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

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UNITED STATES OF AMERICA,)
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 PLAINTIFF,)
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 VS.)
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 STEVEN WILLIAM SUTCLIFFE,)
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)
 DEFENDANT.)

DOCKET NUMBER
CR-2002-350(A)-AHM

LOS ANGELES, CALIFORNIA
SEPTEMBER 26, 2003

TRANSCRIPT OF PROCEEDINGS
BEFORE THE ~~HONORABLE~~ A. HOWARD MATZ,
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFF:

ELENA J. DUARTE,
ASST. U.S. ATTORNEY
LOS ANGELES, CA

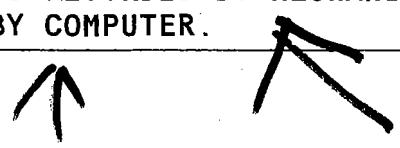
FOR THE DEFENDANT:

STEVEN WILLIAM SUTCLIFFE,
PRO SE
DAVID R. REED, STAND-BY COUNSEL
ATTORNEY AT LAW
LOS ANGELES, CA

COURT REPORTER:

NANCY SMITH-WELLS
UNITED STATES COURTHOUSE
312 N. SPRING STREET
ROOM 402
LOS ANGELES, CA 90012
(213) 621-2148

PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY, TRANSCRIPT
PRODUCED BY COMPUTER.



1 (IN LOS ANGELES, LOS ANGELES COUNTY, CALIFORNIA; FRIDAY,
2 9-26-03, IN OPEN COURT.)

3 THE DEPUTY CLERK: CALLING ITEM NUMBER ONE,
4 CR-02-350(A), USA VS. STEPHEN WILLIAM SUTCLIFFE.

5 COUNSEL, STATE YOUR APPEARANCES PLEASE.

6 MS. DUARTE: GOOD MORNING, YOUR HONOR. ELAINE A. DUARTE
7 FOR THE UNITED STATES. WITH ME ARE JASON GONZALEZ, A.U.S.A. AND
8 JEFF CUGNO FROM THE F.B.I.

9 THE COURT: OKAY. GOOD MORNING TO ALL OF YOU.

10 MR. SUTCLIFFE: GOOD MORNING, YOUR HONOR. STEVEN
11 SUTCLIFFE, PRESENT IN COURT.

12 THE COURT: GOOD MORNING, MR. SUTCLIFFE.

13 MR. REED: GOOD MORNING, YOUR HONOR. DAVID REED,
14 STANDBY COUNSEL.

15 THE COURT: AND GOOD MORNING TO YOU AS WELL. WE HAVE A
16 LOT OF ITEMS THAT WE NEED TO DISCUSS, AND IN RESPECTS TO THE FIRST
17 AND THRESHOLD ONE SHOULD BE THE STATUS OF MR. SUTCLIFFE'S
18 PREPARATION AND OPPORTUNITY TO PREPARE FOR TRIAL AND HIS
19 REPRESENTATION, AND I THINK WE WILL GET TO THAT VERY SHORTLY BUT
20 AS AN ACCOMMODATION AND INTENDED COURTESY TO A NUMBER OF OTHER
21 PEOPLE WHO HAVE COME TO ADDRESS DIFFERENT ISSUES SO THAT THEY
22 WON'T HAVE TO RETURN AT THE LUNCH BREAK, I'M GOING TO START WITH
23 THOSE. SO WE WILL TALK ABOUT MR. SUTCLIFFE'S REQUESTS, INCLUDING
24 THOSE THAT WERE SENT TO ME AND RECEIVED IN LETTER FORM. I GOT 'EM
25 LATE LAST NIGHT CAUSED THEM TO BE FILED TODAY.

1 BUT BEFORE WE DO THAT, ASSUMING, AND I DON'T HAVE A
2 FINAL VIEW ON THIS, THAT THE DEFENSE OF MR. SUTCLIFFE WILL BE
3 PROVIDED PRIMARILY BY MR. SUTCLIFFE WITH MR. REED SERVING AS
4 STANDBY COUNSEL AND THAT THE TRIAL WILL BEGIN NEXT WEEK. I HAVE
5 ASKED TO COME TO COURT REPRESENTATIVES OF THE MARSHAL'S OFFICE AND
6 THE CSO'S, AND ALSO JAMES SETTLE. IS HE HERE?

7 MR. SETTLE: YES, YOUR HONOR.

8 THE COURT: AND JAMES SETTLE WHO'S A VERY, VERY SKILLFUL
9 AND ABLE HEAD OF THE COURT'S TELECOMMUNICATION SYSTEMS, INCLUDING
10 COMPUTERS, BECAUSE MR. SUTCLIFFE WILL BE IN NEED OF AND WILL GET
11 THE ACCESS TO THE -- AT LEAST THE CORE KIND OF ELECTRONIC
12 EQUIPMENT HIS DEFENSE ENTITLES HIM TO, BUT WE NEED TO MAKE SURE
13 THAT THERE IS CLARITY ABOUT THAT.

14 SO LET'S START. I'VE BEEN TOLD BY MY CLERK, JUST ON THE
15 ASSUMPTION THAT THE TRIAL WILL BEGIN NEXT WEEK, THERE ARE A COUPLE
16 OF CONSIDERATIONS THAT AFFECT SOME OF THE OTHER ITEMS THAT I
17 MENTIONED IN THE NOT VERY -- IN THE EXPANSIVE BUT NOT NECESSARILY
18 COMPLETE AGENDA THAT I CIRCULATED IN WRITING FOR PURPOSES OF
19 ALERTING THE PARTIES TO WHAT I WANTED TO COVER IN TODAY'S STATUS
20 CONFERENCE.

21 NOW, IN THIS CASE, ASSUMING THAT MR. SUTCLIFFE IS
22 REPRESENTING HIMSELF, WE ARE GOING TO NEED, IN FAIRNESS TO HIM,
23 AND IN THE INTEREST OF JUSTICE, TO MAKE CERTAIN CHANGES, AND WHAT
24 I ORDINARILY ARRANGE FOR VARIOUS PROCEDURES INCLUDING, FOR
25 EXAMPLE, SELECTION OF JURORS.

1 MS. DUARTE: RIGHT. SO JUST TO LET YOU KNOW, YOUR
2 HONOR, I BELIEVE IT IS STILL THE SAME BECAUSE I HAD DONE IT OUT
3 TILL OCTOBER 10TH.

4 THE COURT: OKAY. NOW, MR. SUTCLIFFE, THIS IS DIRECTED
5 TO YOU.

6 MR. SUTCLIFFE: YES, SIR.

7 THE COURT: I ASKED YOU TO TAKE INTO ACCOUNT THE FEW
8 COMMENTS I MADE ABOUT THIS ISSUE OF SELF-REPRESENTATION BEFORE WE
9 HAD THE LUNCH BREAK.

10 MR. SUTCLIFFE: UH-HUH.

11 THE COURT: THE LAW IS PRETTY CLEAR, AND I DID NOT
12 FOLLOW IT, AT LEAST IN SOME RESPECTS, I DIDN'T FOLLOW IT
13 LITERALLY, CONCERNING THE NOTICE THAT A JUDGE IS REQUIRED TO GIVE
14 AN INDIVIDUAL ABOUT ACTING IN HIS OWN DEFENSE. I ALREADY TOLD YOU
15 MANY TIMES, AND I DON'T THINK WE HAVE TO CONTINUALLY BELABOR THIS,
16 THAT I REALIZE YOU NEVER SAID TO ME I WANT TO BE MY OWN LAWYER, SO
17 PLEASE UNDERSTAND THAT I'M NOT SITTING HERE THINKING YOU
18 AFFIRMATIVELY EXPRESSED IN WORDS A DESIRE TO GO WITHOUT A LAWYER.
19 BUT I FOUND, FOR I THINK VERY AMPLE REASON, THAT YOUR
20 CONDUCT AMOUNTED TO THAT CHOICE AND THAT YOU MADE THAT CHOICE FOR
21 TACTICAL PURPOSES AND WILLINGLY.

22 HOWEVER, I ALSO THINK THAT THE PARAMOUNT OBLIGATION I
23 HAVE IS TO FOLLOW THE LAW AND TO MAKE SURE THAT PEOPLE WHO COME TO
24 TRIAL IN THIS COURT, NO MATTER WHAT KIND OF CASE, GET A FAIR
25 TRIAL. SO I DO NOT INTEND TO HOLD YOU TO THAT FINDING OF WAIVER

1 UNLESS YOU NOW WANT TO EXPRESS A VIEW, A PREFERENCE, IN LIGHT OF
2 ALL THE WARNINGS I'VE GIVEN YOU, INCLUDING RECENT ONES, INCLUDING
3 ONES IN WRITING, AND ONES THAT I WILL SUPPLEMENT WITH BASICALLY
4 REPEATED COMMENTS HERE IN COURT IN JUST A MINUTE.

5 IF YOU TELL ME YOU WANT TO BE YOUR OWN LAWYER AND YOU
6 WANT TO GO TO TRIAL, THAT WILL BE YOUR CHOICE, ALTHOUGH I WILL GO
7 THE EXTRA MILE FIGURATIVELY SPEAKING AND TELL YOU ABOUT SOME OF
8 THE THINGS I'VE MORE THAN ONCE DISSEMINATED AND COMMUNICATED TO
9 YOU IN WRITING JUST THIS WEEK.

10 THE BOTTOM LINE IS THAT I'M TELLING YOU THAT IF YOU WANT
11 TO BE REPRESENTED BY COUNSEL, I WOULD HONOR THAT CHOICE, AND IF
12 YOU WANT TO REPRESENT YOURSELF, I WOULD BE REQUIRED TO HONOR THAT
13 CHOICE AND IT WOULD BE, I THINK, A VALID AND BINDING CHOICE,
14 ALTHOUGH I WOULD GIVE YOU MORE TIME FOR THE TRIAL NO MATTER WHAT
15 AND GO THROUGH THE ROUTINE OF TELLING YOU IN COURT WHAT YOU'VE NOW
16 BEEN TOLD MANY TIMES IN WRITING. SO PLEASE TELL ME WHAT YOUR
17 PREFERENCE IS.

18 MR. SUTCLIFFE: YOU ARE CORRECT THAT IT'S A NON SECULAR
19 ISSUE, THAT YOU HAVE COUNSELED ME EXTENSIVELY ON THE DANGERS AND I
20 PAID VERY CLOSE ATTENTION AND SAT UP WHEN YOU SAID YOU'D COME OFF
21 THAT BENCH AND NOT BEAT ME IN THE HEAD AND KICK ME IN THE SHINS,
22 SO I APPRECIATE THAT. I'M KIND OF CONFUSED THOUGH -- TO MAKE A
23 CHOICE THE U.S. ATTORNEY HAS PROVIDED ME WITH A DOCUMENT, WHICH IS
24 MARKED GOVERNMENT'S SPECIAL TRIAL MEMORANDUM, AND IT SPEAKS
25 SPECIFICALLY OF BEHAVIOR, AND IN THERE IT SEEMS THAT I'M SUPPOSED

1 TO -- I'LL BE REMOVED IF I CONDUCT DISRUPTIVE BEHAVIOR; BUT ON
2 PAGE FOUR OF THAT DOCUMENT IT SAYS THAT I MAY NOT INTERRUPT THE
3 GOVERNMENT'S QUESTIONING OF WITNESSES EXCEPT TO RAISE AN
4 OBJECTION. CORRECT ME IF I'M WRONG, BUT THAT'S WHAT GOT ME SENT
5 OFF FOR TREATMENT, OBJECTING AND INTERRUPTING. BUT NOW I'M BEING
6 DIRECTED TO DO THAT, SO I'VE NEVER WAIVED MY RIGHT TO ASSISTANCE
7 OF COUNSEL. I'VE DEMANDED IT SINCE I'VE GOT HERE. I'M WHERE I
8 AM.

9 THE COURT: WELL, THAT LAST SENTENCE DOESN'T MEAN
10 ANYTHING CLEARER TO ME BECAUSE IT'S REMINISCENT OF OTHER KINDS OF
11 ANSWERS YOU'VE GIVEN WHEN I'VE TRIED TO PIN YOU DOWN AS TO WHAT
12 YOU WANT. BUT LET ME TRY TO EXPLAIN SOMETHING TO YOU ABOUT THE
13 FIRST POINT YOU RAISED.

14 IT IS NOT CORRECT THAT YOU WOUND UP BEING SUBJECTED TO
15 MORE THAN ONE EXAMINATION BECAUSE YOU INTERRUPTED THE GOVERNMENT
16 LAWYER, AND IT'S NOT CORRECT THAT YOU DID THAT BECAUSE YOU
17 INTERRUPTED ME MANY TIMES. TODAY YOU HAVEN'T AND I'M GRATEFUL
18 THAT YOU HAVEN'T. I EXPECT THAT YOU WANT, AND IF YOU DO, YOU'LL
19 PAY THE CONSEQUENCE. BUT IN ANY EVENT, WITHOUT GOING BACK INTO
20 THOSE ISSUES BECAUSE THOSE ARE LONG SINCE RESOLVED YOU'RE NOT
21 CORRECT AS TO WHY THERE WERE SERIOUS QUESTIONS AS TO YOUR
22 COMPETENCY THAT REQUIRED THESE EXAMINATIONS TO BE CONDUCTED. NOW,
23 YOU'VE BEEN FOUND TO BE COMPETENT, I'VE ALWAYS KNOWN YOU'RE VERY
24 SHARP. THAT'S NOT AN ISSUE THAT WE'RE HERE TO RECONSIDER. IN
25 TERMS OF REPRESENTING YOURSELF AT TRIAL, YOU WOULD BE REQUIRED TO

1 FOLLOW THE SAME STANDARDS AND THE SAME REQUIREMENTS AS A LAWYER
 2 WOULD, AND ON THE QUESTION OF INTERRUPTION, YOU WOULD BE ENTITLED
 3 TO STAND UP, WHICH IS A PHYSICAL WAY OF SIGNALING TO ME YOU WANT
 4 TO VOICE AN OBJECTION. AND AT THE CONCLUSION OF THE QUESTION AND
 5 BEFORE ANY ANSWER IS BEGUN TO BE GIVEN TO SAY YOU OBJECT.

6 THERE WILL BE LIMITATIONS ON YOU LIKE THERE ARE ON EVERY
 7 LAWYER AS TO HOW YOU GO ABOUT DOING THAT. YOU CAN'T SIMPLY GIVE A
 8 LONG SPEECH AND POUND THE TABLE FIGURATIVELY OR LITERALLY ABOUT
 9 WHY IT'S UNFAIR FOR THAT QUESTION TO BE ASKED OR ANYTHING ABOUT
 10 THE MOTIVES OF THE QUESTION OR ANYTHING LIKE THAT. THAT'S WAY
 11 BEYOND BOUNDS. BUT YOU WOULD BE ENTITLED TO OBJECT AS LONG AS YOU
 12 FOLLOW THE RULES. I'M NOT GOING TO TELL YOU ALL THE RULES.

13 MR. REED, IF HE FUNCTIONS EVEN IN THE CAPACITY ONLY OF STANDBY
 14 COUNSEL, CAN REVIEW SOME OF THOSE WITH YOU, BUT THOSE HAVE ALREADY
 15 BEEN ADVERTED TO, AT THE VERY LEAST IN SOME OF THE DISCLOSURES
 16 THAT I MADE TO YOU IN WRITING AND ORALLY.

17 NOW, THERE ARE FUNDAMENTAL CONCEPTS WHICH YOU'RE VERY
 18 SMART ENOUGH TO UNDERSTAND ABOUT A TRIAL, AND THAT IS THAT JURORS
 19 ARE TREATED WITH DIGNITY. THE PROCESS IS TREATED WITH DIGNITY.
 20 TANTRUMS ARE NOT TOLERATED. CIVILITY IS NECESSARY AND ~~RULES ARE~~
 21 ~~FOLLOWED.~~

22 MR. SUTCLIFFE: BY EVERYBODY?

23 THE COURT: BY EVERYBODY. AND THAT INCLUDES THE JUDGE,
 24 AND I'M TRYING TO FOLLOW THEM RIGHT NOW BY GIVING YOU THIS SECOND
 25 OPPORTUNITY. YOU HAVE THE POWER AND -- YOU HAVE THE RIGHT TO

1 MAKE YOUR CHOICE. YOU NEED TO TELL ME WHAT YOUR CHOICE IS. IF
2 YOU CHOOSE TO EXERCISE YOUR RIGHT TO SELF-REPRESENTATION, ~~THAT~~
3 ~~WILL BE GRANTED, IT WILL BE HONORED.~~ IF YOU CHOOSE TO HEDGE AND
4 EQUIVOCATE, I'M NOT SURE WHAT I'LL DO. IF YOU CHOOSE TO SAY, YOU
5 KNOW WHAT, I GOT A LOT AT STAKE HERE AND I HAVE FIGURED OUT A
6 DEFENSE AND I DON'T KNOW WHICH ONE THAT MR. NICOLAYSEN THOUGHT
7 MIGHT WORK, I DON'T KNOW WHAT MR. REED'S VIEWS ARE. I DON'T
8 EXPECT HIM, AND HE'S NOT BEING ASKED TO ARTICULATE ANY. I CAN
9 BEGIN TO SEE WHAT SOME OF YOURS ARE AND MAYBE THIS IS A VERY
10 TRIABLE CASE, MAYBE YOUR -- MAYBE IN THIS CASE IS NOT AS
11 FOREORDAINED OR CERTAIN AS SOME PEOPLE MIGHT THINK.

12 SO A PRUDENT THING TO DO FOR SOMEBODY IN YOUR SITUATION
13 WOULD BE IS I'LL TAKE MY BEST SHOT AT IT. YOU CAN TAKE YOUR BEST
14 SHOT AT BEING YOUR OWN LAWYER, IF YOU WANT, OR YOU CAN BE A
15 LAWYER. BUT IF YOU DO THE SAME THING AGAIN, MR. SUTCLIFFE, OR THE
16 SAME THING HAS BEEN ESTABLISHED ON FOUR DIFFERENT OCCASIONS WHERE
17 YOU HAVE TRIED TO CONTROL AND DIRECT AND LIMIT THE LAWYER WHO HAS
18 BEEN DOING HER BEST OR HIS BEST TO REPRESENT YOU AND HAVE
19 INTERFERED WITH THE RIGHT AND THE NEED AND THE OBLIGATION AND THE
20 DUTY OF THAT LAWYER TO EXERCISE INDEPENDENT JUDGMENT AND
21 PROFESSIONAL CARE IN REPRESENTING YOU, AND IF AS HAPPENED FOUR
22 PREVIOUS TIME -- AT LEAST -- I'M NOT SURE. IT'S FAIR TO SAY IT
23 HAPPENED AD NAUSEAM. YOU TURN ON THE LAWYER AND YOU SUE THE
24 LAWYER AND YOU REFUSE TO TALK TO THE LAWYER AND YOU THREATEN THE
25 LAWYER, THEN THAT WILL BE A REINFORCED DEFINITIVE STATEMENT BY

1 CONDUCT ON YOUR PART THAT YOU DON'T WANT A LAWYER. IT WILL NOT BE
2 A BASIS TO FIND YOU'RE INCOMPETENT. IT WILL BE A BASIS TO FIND
3 THAT YOU MADE YOUR CHOICE AND YOUR CHOICE IS GO IT ALONE.

4 THOSE ARE THE ALTERNATIVES AVAILABLE TO YOU. RIGHT NOW
5 I DON'T THINK THIS CASE IS READY FOR TRIAL AND MUCH OF THE REASON
6 IS NOT IMMEDIATELY ATTRIBUTABLE TO YOU. SOME OF IT IS NOT
7 ATTRIBUTABLE TO YOU AT ALL. ALL OF THIS MYSTERIOUS CONFUSION
8 ABOUT WHAT HAPPENED TO THE EVIDENCE THAT THE GOVERNMENT LONG AGO
9 DISCLOSED TO YOUR PRIOR LAWYERS WOULD NEVER HAVE ARISEN IF THERE
10 NEVER HAD BEEN ALL OF THESE EFFORTS WHICH ARE TOTALLY
11 INAPPROPRIATE OR OBSTRUCTIVE ON YOUR PART TO INTERFERE WITH THEIR
12 WORK, BUT YOU'RE NOT RESPONSIBLE FOR THE FACT THAT ONE LAWYER
13 DIDN'T TURN OVER TO THE NEXT LAWYER WHAT THAT LAWYER WAS
14 INSTRUCTED TO TURN OVER BY ME AND AGREED TO TURN OVER. I'M GOING
15 TO GET TO THE ROOT OF THIS ONE WAY OR ANOTHER BECAUSE IT'S
16 ABSOLUTELY UNACCEPTABLE. MR. REED IS IN NO POSITION TO PROVIDE
17 EVEN STAND BY POSITION THAT WOULD BE INFORMED IN TERMS OF THE
18 EVIDENCE, IF NOT IN TERMS OF THE CONDUCT A LAWYER GOES THROUGH AND
19 MANEUVERS AND STEPS AND STRATEGIES AND CONDUCT THAT A LAWYER
20 DISPLAYS IN REPRESENTING A PERSON AT TRIAL BECAUSE HE DOESN'T EVEN
21 HAVE THE EVIDENCE.

22 NOW, WE'RE NOT GOING TO GO TO TRIAL ON TUESDAY. IF YOU
23 DON'T WAIVE ANY OF YOUR RIGHTS, WE'LL GO TO TRIAL A WEEK LATER AND
24 I DON'T THINK THE SPEEDY TRIAL ACT WILL BE VIOLATED, BUT YOU HAVE
25 TO TELL ME WHAT YOU WANT TO DO.

1 MR. SUTCLIFFE: IT'S PAINFUL OBVIOUS TO ME THAT THIS
2 COURT IS -- THESE PEOPLE IN THIS COURT ARE DOING WHATEVER THEY
3 WANT TO DO. NOBODY IS ASSISTING ME IN SQUAT, OKAY. COMMUNICATION
4 IS A TWO-WAY STREET, YOUR HONOR. YOU'VE LAID AT MY FEET THE BLAME
5 BY NOT COMMUNICATING AND THREATENING, AS YOU PUT IT, AND NOT
6 SPEAKING TO THESE PEOPLE. WELL, THOSE ARE ASSUMPTIONS BECAUSE
7 YOU'VE ONLY HEARD ONE SIDE TO THE STORY AND THERE'S TWO SIDES TO
8 EVERY COIN. YOU REFUSE TO LISTEN TO MY SIDE OF THE STORY WHEN I
9 BELIEVE YOU SHOULD HAVE BECAUSE I COULD HAVE BROUGHT TO THE LIGHT
10 WHAT WAS GOING ON AND YOU COULD HAVE STOPPED IT, YOU HAD THE POWER
11 TO STOP IT. YOU HAVE THAT POWER AND I RECOGNIZE THAT POWER. IT'S
12 INHERENT IN THIS COURTROOM.

13 THE COURT: BUT LET THE RECORD REFLECT, MR. SUTCLIFFE,
14 BECAUSE I'VE LOOKED AT THE TRANSCRIPT. I GAVE YOU THE RIGHT. I
15 ALWAYS GIVE A PERSON A RIGHT WHEN A PERSON TELLS ME HE OR SHE IS
16 MOVING TO WITHDRAW. YOU HAD AN OPPORTUNITY TO EXPLAIN YOUR
17 PERCEPTION, YOUR MEMORY, OR YOUR VERSION OF WHAT HAS GONE ON. THE
18 RECORD WILL REFLECT WHAT IT WILL. I DON'T DOUBT FOR A MINUTE, AND
19 I UNDERSTAND WHY YOU FEEL AGGRIEVED. PROBABLY EVERYONE ELSE IN
20 THE COURTROOM MAYBE, ESPECIALLY ME, BUT YOU STILL HAVE TO
21 UNDERSTAND THAT THE DECISION THAT YOU NEED TO MAKE, NOT
22 NECESSARILY AT THIS PRECISE MINUTE BECAUSE I WILL GIVE YOU AN
23 OPPORTUNITY THIS AFTERNOON TO THINK ABOUT IT, TO TALK TO MR. REED,
24 IF YOU WANTED TO, IS WHETHER YOU WANT TO REPRESENT YOURSELF OR
25 NOT.

1 MR. SUTCLIFFE: I THINK I'VE MADE A VERY KNOWINGLY AND
2 INTELLIGENT CHOICE FROM DAY ONE, FROM THE TIME YOU TOLD ME YOU'D
3 COME OFF THAT BENCH AND POP ME UPSIDE THE HEAD. I DON'T WANT TO
4 BE MY OWN LAWYER. I'M NOT SKILLED TO BE MY OWN COUNSEL. I'M NOT
5 A TRAINED DOCTOR JURIST, DOCTORATE. MAYBE I CAN HANDLE A PARKING
6 TICKET BUT THAT'S ABOUT IT. NO. I DON'T WANT TO FACE THE
7 GOVERNMENT, UNITED STATES OF AMERICA BY MYSELF. NO. I'VE NEVER
8 WAIVED COUNSEL. I'D BE A FOOL. YOU SHOULD SEND ME TO DEVENS IF I
9 DID. NO, SIR. AND I DON'T WAIVE MY SPEEDY TRIAL. I WANT MY
10 TRIAL TO START TUESDAY. I WANT THIS NIGHTMARE OVER WITH, YOUR
11 HONOR. I WANT MY DAY IN COURT. I BELIEVE I HAVE MY RIGHT TO MY
12 DAY IN COURT. THEY'RE READY TO GO. LET'S GO. LET'S GET THIS DOG
13 AND PONY SHOW OVER WITH OR ON WITH OR HOWEVER WE DO IT, PLEASE. I
14 WANT MY DAY IN COURT, THAT'S ALL I WANT.

15 THE COURT: YOU'LL HAVE YOUR DAY IN COURT.

16 MR. SUTCLIFFE: NEXT TUESDAY.

17 THE COURT: MR. REED, YOU'VE HEARD WHAT THE PROSECUTOR
18 SAID ABOUT THIS ARRAY OF EVIDENCE. NOW, IT'S GOING TO TAKE ME
19 MORE THAN A FEW DAYS, I ASSUME, TO TRACK DOWN WHERE IT IS AND WHY
20 IT'S WHERE IT IS, WHEREVER IT IS. AND IT'S REALLY A QUESTION OF
21 WHY IT'S NOT WITH YOU AND/OR WITH MR. SUTCLIFFE. HOW LONG WOULD
22 IT TAKE YOU TO PUT IN MR. SUTCLIFFE'S AND IN MR. REED'S HANDS WHAT
23 I THINK IS THE KEY AND RELEVANT AND APPROPRIATE ARRAY OF EVIDENCE?
24 AND IF I FOLLOW WHAT YOU'VE TOLD ME, THAT WOULD CONSIST OF
25 EIGHT CD'S OR SO THAT WERE TURNED OVER ON JUNE 4TH OF 200