

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 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 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.