

In the United States District Court for the
Western District of Missouri
Western Division

United States of America)
) plaintiff)

v

No. 09-00043REL-01

Clifton Taylor D.)
) Defendant)

Motion to Dismiss

Comes now the Defendant Clifton Taylor without counsel and not trained in the law hereby moves this court to grant a motion to Dismiss due to confusion of evidence or hearsay from all witnesses, (A) Bank employee Veronica Lopez victim/teller after viewing facial photos of the defendant stated the defendant was not the robber another man was. (B) other witnesses Michelle Visos and Virginia Spina. Visos stated they chased the suspect wearing a green hat dark jacket and construction boots until he walked behind a home (nearest home ~~South~~ from bank) one block away where she states after observing the male he wore a different coat and there was no hat these two witnesses followed this male to a strip mall where the Defendant was arrested. (C) witness Juan Gomez stated his truck was parked northeast from the bank at a business strip where he found unknown contraband of a dark coat containing \$2200 and a green hat which was claimed to belong to the robber wholly contradicting Visos statement of following the robber fully geared with hat and all behind a home (which is opposite direction from Gomez findings) who just happened to be wearing a dark jacket and boots creating a spillover effect on the Defendant whom wore light jeans dark brown coat and tan designer boots. confusion of evidence by jury and spillover effect of evidence on one court United States v. Abrams 539 F. Supp 378, 381 (S.D.N.Y. 1982) the court should consider among other things number of counts against the defendants and disparity in quantum of proof offered against defendants abuse of discretion, not to allow a party to challenge the reliability of hearsay evidence. United States v. Williams 41 F.3d at 500-02 United States v. Ferguson 246 F.3d 129 (2nd Cir 2001)

Respectfully submitted this 22 day of May 2009