

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Criminal Action No.
	)	09-00112-01-CR-W-ODS
	)	
CLIFTON D. TAYLOR,	)	
	)	
Defendant.	)	

**ORDER**

Before the court is defendant's most recent stack of pro se filings. In this group defendant has included (1) a notice of insanity defense, apparently arguing that his attorney is causing his insanity; (2) motion for disclosure of documents pursuant to 16(a)(1)(C), which has already been denied in the past since this is an open-file discovery case; (3) motion for disclosure of test results under 16(a)(1)(D), again, a motion that has been dealt with previously, and the government has agreed to provide any test results promptly after receipt; (4) motion for disclosure of electronic surveillance warrant pursuant to Brady, which is another improper discovery motion given the open-file discovery and the government's statement in the Stipulations and Orders that "There has not been interception of wire or oral communications, court ordered or otherwise"; and (5) motion to disclose personal file pursuant to Brady, which requests the personnel file of an FBI Special Agent so that defendant can see if there are any past instances of dishonesty or misconduct, another inappropriate motion.<sup>1</sup>

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<sup>1</sup>See United States v. Dent, 149 F.3d 180, 191 (3rd Cir. 1998). In that case, before trial, the defendant's counsel allegedly learned that another drug case in which an agent was scheduled to testify had been dismissed amid allegations that the agent had committed misconduct in a drug investigation. Anticipating that the agent's personnel

On July 24, 2009, I entered an order which included the following: “Defendant is reminded that any further pro se motions will be summarily denied so long as defendant is represented by counsel at the time the pro se motions are filed.” Because (1) defendant is currently represented by counsel, (2) most of the motions filed by defendant in this batch have previously been denied, and (3) none of the motions have a meritorious basis in the law, it is

ORDERED that defendant’s pro se motions are denied.

*/s/ Robert E. Larsen*  
ROBERT E. LARSEN  
United States Magistrate Judge

Kansas City, Missouri  
August 21, 2009

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records could be used to impeach his credibility at trial, counsel sought to subpoena those records under Federal Rule of Criminal Procedure 17(c). The Court of Appeals upheld the District Court’s refusal to order the personnel file turned over to the defense. “[A]lthough Brady v. Maryland, 373 U.S. 83, 87-88 (1963), mandates that the prosecution disclose impeachment material that is exculpatory to the defendant, it does not require that the prosecution make the file available for the defendant’s general perusal.” In the event the defendant can establish probable cause to believe that Special Agent Mrachek has a history of dishonesty or misconduct, I would order the personnel file produced for en camera review; the file would not be turned over to defendant or his attorney. However, I will not order even an en camera inspection by the court of the personnel file for a general fishing expedition, which is the case here.