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2                   **IN THE UNITED STATES DISTRICT COURT**  
3                   **FOR THE WESTERN DISTRICT OF MISSOURI**  
                    **WESTERN DIVISION**

4 **UNITED STATES OF AMERICA,**            ) **Case No. 09-00112-01-CR-W-ODS**  
  )   
5                    **Plaintiff,**                    ) **Kansas City, Missouri**  
  ) **October 22, 2009**  
6 **v.**    )   
  )   
7 **CLIFTON D. TAYLOR,**                    )   
  )   
8                    **Defendant.**                    )   
  )   
\_\_\_\_\_ )

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10                   **TRANSCRIPT OF COMPETENCY HEARING**  
11                   **BEFORE THE HONORABLE ROBERT E. LARSEN**  
                    **UNITED STATES MAGISTRATE JUDGE**

12 **APPEARANCES:**

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1 (Court in Session at 2:14 p.m.)

2 THE COURT: Are we -- are you ready to go, Travis?

3 MR. POINDEXTER: We are ready.

4 THE COURT: Okay. Are you ready?

5 MR. NELSON: Yes, Your Honor.

6 THE COURT: This is *United States of America vs. Clifton*  
7 *D. Taylor*, Number 09-112-01-CR-W-ODS. Let me have the lawyers'  
8 appearances, please.

9 MR. NELSON: May it please the Court? Dan Nelson for  
10 the United States.

11 MR. POINDEXTER: Good afternoon, Your Honor. Travis  
12 Poindexter on behalf of Mr. Taylor, who is present today.

13 THE COURT: Thank you. We're here to take up the  
14 competency issue. I received a report from the institution in  
15 Englewood, Colorado, and I read that. I assume everybody else  
16 has seen the report and the conclusion here. Any problem with  
17 stipulating to the report by the Government?

18 MR. NELSON: No, Your Honor.

19 THE COURT: Any problem, Mr. Poindexter?

20 MR. POINDEXTER: Your Honor, I would not. But I would  
21 notify the Court that we attempted to discuss that with Mr.  
22 Taylor and he didn't want to discuss that. I would presume that  
23 he would have no problem with it because he's ready for the case  
24 to proceed and so --

25 MR. TAYLOR: I do have a problem with it, Your Honor.

1 THE COURT: Okay.

2 MR. TAYLOR: There is ir -- irreconcilable differences  
3 between me and this man.

4 THE COURT: I'm sorry.

5 MR. TAYLOR: Irreconcilable differences between me and  
6 my attorney. I put in at least four motions of ineffective  
7 assistance. I'm serving him today his copy of a civil rights  
8 complaint I have against him.

9 THE COURT: Okay. All right. Well, do you want to go  
10 to trial on this or what?

11 MR. TAYLOR: I'm going to trial on that. I prefer --

12 THE COURT: No. I'm talking about the charge here.  
13 What --

14 MR. TAYLOR: I prefer to have -- yes. I'm going to  
15 trial. I prefer to have a different attorney present.

16 THE COURT: Okay. And, well, why is it that you don't  
17 want to have Mr. Poindexter?

18 MR. TAYLOR: Because he hasn't done anything to  
19 establish any kind of defensive investigation on my behalf.  
20 Everything I ask him to do, he tells me it's not relevant.

21 THE COURT: Uh-huh.

22 MR. TAYLOR: It's just establishing a conflict interest.  
23 You know, his interest is not the same as my own.

24 THE COURT: Okay. Well, I'm not going to replace him.  
25 I do have the matter to take up this afternoon, which is the

1 report from the Bureau of Prisons, and they have found you to be  
2 competent. So, I will get out a Report and Recommendation to  
3 that effect to the District Court. And once that's finalized,  
4 then the case will be set on a trial docket for trial and we'll  
5 see whether or not you want to try it. I think that's everything  
6 I can take up here. Is there anything else that anybody wants to  
7 raise? No?

8 MR. POINDEXTER: No, Judge.

9 THE COURT: Anything else?

10 MR. NELSON: No, Your Honor.

11 THE COURT: Okay. All right. Thank you.

12 (Court Adjourned at 2:17 p.m.)

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I certify that the foregoing is a correct transcript from the electronic sound recording of the proceeding in the above-entitled matter.

/s/ Lissa C. Whittaker  
Signature of transcriber

October 22, 2009  
Date