

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



UNITED STATES of AMERICA )  
 )  
 Plaintiff ) case no. 10-00162-~~01-23~~-cr-W-FJG  
 v. )  
 )  
 NARICCO T. SCOTT )  
 )  
 Defendant )

- 06 -

VERIFIED PETITION

Comes the defendant, Narrico T. Scott, pursuant to Federal Rules of Criminal Procedure Rules 12, 47, and 49; Title 18 U.S.C.A. s 3006(A); and, petition this court to remove appointed counsel Laine T. Cardarella from his case.

In support of this Petition, the defendant states:

The defendant was arrested May 9, 2010, on the original offense of violating statute 21 U.S.C.ss 841(a) and(b)(1)(A);

2) He appeared for initial appearance on the date of May 10, 2010 before the Honorable Magistrate Judge Robert E. Larsen, and was appointed counsel, but did not have counsel present at this hearing;

3) There exist a serious conflict of interest between the defendant and counsel;

4) he has complained to this court regarding the conflict between counsel and himself, seeking to remove her from his case as she refuses to provide defendant with adequate representation;

counsel has repeatedly expressed her belief that the defendant is "...Gun-toting, gun-pointing drug dealer."

Statute 3006(A) provides in part: Adequate representation of defendants-

(a) each United States district court...shall place in operation... a plan for furnishing representation for any person financially unable to obtain adequate representation in accordance with this section.

Mrs. Cardarella refuses to meet her obligation of providing the defendant with 'adequate representation.' The Sixth Amendment's Clause to effective assistance of counsel translates that defendant

Scott is entitled to 'assistance' which enable him to prepare a 'proper a defense.'

Mrs. Cardarella refuses to file defensive motions; i.e. Motion to Suppress; even though the evidence against the defendant is insufficient to sustain a verdict of guilt. She refuses to advise defendant Scott according to the law. Instead she has turned this particular case into a dictatorship with herself as the dictator. Repeatedly she tries to use intimidation tactic to convince defendant to plead guilty.

The Sixth Amendment does not only provide merely that a defense shall be made for the defendant whom is the accused, it grants him personally the right to make his defense. see Faretta v. California, 422 U.S. 906, 95 S.Ct.2525(1975). This is a constitutional right that Mrs. Cardarella deprives the defendant of. As such, defendant Scott brings this constitutional violation to the attention of the court, and, thus, ask 1) that she immediately be removed from his case, 2) new counsel be appointed to assist defendant in preparing his defense or, 3) he be granted provisional leave to proceed pro se. U.S.C.A. Const. Amends. Fifth, Sixth, Fourteenth: Missouri Const. Art. 1, sec 18(a): 18 U.S.C.A. s 3006(A).

CERTIFICATE OF SERVICE

In accordance with Federal Rules OF Criminal Procedure Rules 49 (a), (b), and (d); and Federal Rules Of Civil Procedure Rules 5(b), it is hereby certified that one copy of the foregoing petition has been filed and mailed to Brent Venneman, U.S. Attorney, at 400 East Ninth Street, Kansas City, Missouri, 64106; this date of April, 17, 11.

Respectfully submitted,

*Naricco Scott*

Naricco T. Scott,

100 Highway Terrace, (CCA)  
Leavenworth, Kansas, 66048