

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-FJ6
)	
v.)	
)	
NaRicco T. Scott)	
)	
Defendant)	

MOTION TO INSPECT JURY RECORDS
AND TO QUASH JURY PANEL

Comes the defendant, NaRicco T. Scott, pro se, pursuant to Federal Rules of Criminal Procedure rules 12, 47, and Federal Rules of Civil Procedures 1861, 1867 9a), and hereby moves this court to issue the defendants' motion to be granted to receive all pertinent recordings of the grand jury proceedings in selection of the grand jury impaneled by honorable Judge Fernando J. Gaitan, Jr., within this district.

SUGGESTIONS IN SUPPORT

- 1) A federal grand jury was impaneled by the honorable Judge Fernando J. Gaitan Jr. to indict the defendant NaRicco T. Scott.
- 2) May 26, 2010, the defendant was superseded indicted by this grand jury for violation of Federal Statutes 846, 841 (A)(1) and 841 (b)(1)(A), 841 (b)(1)(c), 924 (c)(1)(A).

3) Defendant challenges the legality of the impaneled grand jury which indicted him.

He has been denied access to the jury records by previously appointed counsel.

Id., Fed. R. Crim. P., R. 6(b)(1).

4) Defendant has both constitutional and statutory rights to the jury recordings; and

to challenge the jury impanelment. 28 U.S.C. 1861, 1867; Federal Rules of Criminal Procedure Rule 6; U.S. Constitution Amendments fifth and sixth

A defendant in a federal criminal case has a constitutional statutory right to a grand jury and petit jury chosen without discrimination, and which represents a fair cross-section of the community. *Glasser v. United States*, 315 U.S. 60 (1942); *Smith v. Texas*, 311 U.S. 128 (1940); 28 U.S.C. s 1861. The provisions of the jury selection and Service Act of 1968 allows the parties in a case an unqualified right to inspect the jury list at all reasonable times during the preparation of a motion to challenge compliance with the jury selection procedure. *Test v. U.S.*, 420 U.S. 28 (1975); *U.S. v. Beaty*, 465 F. 2d 1376, 1381-82 (9th cir. 1972); 28 U.S.C. s 1867(f). Defendant continues his assertion that the grand jury which indicted him was impaneled by biased and racially selective means impinging on illegality. See *Vasquez v. Hillery*, 474 U.S. 254, 106 S. ct. 614; U.S. Const. Amends. Fifth and Sixth. Defendant Scott has the right to indictment by an unbiased grand jury, *U.S. v. Burke*, 700 F. 2d 70, 82 (2d Cir.), and therefore he request the records to be delivered to him containing information of 1) jury wheel which jurors were poded from, 2) demographics of areas which jurors were selected from, 3) race, nationalities, and gender of each juror, 4) standards for juror eligibility, 5) numbers of jurors selected from Jackson County, Missouri (Kansas City) within the past 20 years,

6) voter registration list of all jurors, 7) numbers of jurors in the jury pool, 8) name of impaneling judge, 9) and name of the U.S. Attorney present during grand jury selection. The defendant request this information is provided as it is necessary to support his motion to dismiss on improperly employed and discriminatory methods used in impaneling the grand jury.

CERTIFICATE OF SERVICE

In accordance with Federal Rule of Criminal Procedure Rule 49 (A), (b), and (d); and, Federal Rules of Civil Procedure Rule 5(b), it is hereby presented that one copy of this foregoing motion has been filed and sent to Brent Venneman, Assistant U.S. Attorney at 400 East Ninth Street, Kansas City, Missouri, 64106, this date 31 of May, 2011.

Respectfully Submitted,

NaRicco T. Scott, pro se
100 Highway Terrace (22266045)
Leavenworth, Kansas 66048