

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

UNITED STATES of AMERICA,
Plaintiff

v.

NARICCO T. SCOTT,
Defendant

case no. 4:10-cr-00162-FJG-6

MOTION AND SUGGESTIONS TO AUTHORIZE
THE CLERK , U.S. DISTRICT COURT , WESTERN
DISTRICT OF MISSOURI, TO ISSUE A SUBPOENA
DEUCES TECUM, AND TO DIRECT THE
U.S. MARSHAL, WESTERN DISTRICT OF MISSOURI,
TO PAY WITNESS FEES

Comes the defendant, Naricco T. Scott, pro se, and pursuant to
Rule 17(a),(b) and (c), Federal Rules of Criminal Procedure, moves
this Court for an order directing its Clerk to issue a subpoena
deuces tecum to:

Brent Vennaman
U.S. Attorneys Office
400 East Ninth Street
Kansas City, Missouri
64106

In addition, the defendant moves this Court, pursuant to 28 U.S.C
§ 1915(c) and Rule 17(c), Federal Rules Criminal Procedure, to
direct the United States Marshal, Western District of Missouri,
to pay all witness fees in accordance with 28 U.S.C. §§ 1821 and
1825.

It is requested that the aforementioned subpoena direct the
above named person to produce, before this Court, during August,
2011, for the purpose of testifying at trial, the following:
all statements and proffer agreements, all written or recorded

documents of all agreements entered upon between co-defendants and the government. Scott asserts that such evidence is being withheld from him by the government in violation of his constitutional rights and that this evidence is needed for impeachment purposes of confronting witnesses against him as guaranteed by the Sixth Amendment of the U.S. Constitution's Confrontation Clause; and that such evidence has been proffered in violation of Title 18 Federal Rules of Criminal Codes § 201(b)(3). The perjured testimony will be testified to at Scott's trial.

At the defendant's initial appearance before the honorable Magistrate Judge Robert E. Larsen, United States Magistrate, based on the defendant's submission of an affidavit of financial status, the Court implicitly authorized the defendant to proceed In Forma Pauperis, in accordance with 28 U.S.C. §§ 1915(a) and (c), in order to prepare and execute a defense in the criminal action presently pending against this defendant.

For these reasons, the defendant submits that he has complied with the requirements of 28 U.S.C. §§ 1915(a) and (c), and Rules 17(a), (b) and (c) of the Federal Rules of Criminal Procedure, which permits this Court to issue Deuces Tecum and to direct that the fees thereof be paid in the same manner in which the fees are paid to procure the presence of a witness subpoenaed on behalf of the plaintiff. The defendant is also aware of the possible conflicting nature of such a subpoena; and, therefore points the Court to the fact that he only request the **DOCUMENTS** from the government which have been deliberately withheld.

Wherefore, the defendant respectfully request this Court, pursuant to 28 U.S.C. § 1915(c), and Rules 17(a), (b), and (c), Federal Rules of Criminal Procedure, to authorize its Clerk to issue

subpoena duces tecum to the following:

Brent Venneman
U.S. Attorneys' Office
400 East Ninth Street
Kansas City, Missouri,
64106

commanding him to appear before this Court at the U.S. Courthouse
400 East Ninth Street, Kansas City, Missouri, 64106, August, 2011
(At the date and time this Court will schedule set trial commencement)
and produce for the purpose of testifying at trial the aforementioned
material.

Respectfully submitted,
Narrico T Scott, pro se
100 Highway Terrace
Leavenworth, Kansas, 66048

CERTIFICATE OF SERVICE

In accordance with F.R.Crim. P., Rule 49(a),(b), and (d), and Rule
5(b), F.R.Civ.P., I hereby present that one copy of the foregoing
motion has been filed and sent to Beth Phillips, United States
Attorney, at 400 East Ninth Street, Kansas City, Missouri, 64106,
this date of May 14,2011.

Narrico T. Scott