

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

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	Criminal Action No.
v.	)	10-00162-06-CR-W-FJG
	)	
NARICCO T. SCOTT,	)	
	)	
Defendant.	)	

ORDER

Before the court is defendant's pro se motion to amend. The motion states as follows, in its entirety:

Before the Court, I, NaRicco T. Scott, with respect to the Courts, ask the Court to grant the Defendant's motion to amend Judicial Notices Doc. 357 and Doc. 378 on June 1, 2011. Defendant, Pro se filed two separate Judicial Notices in the form of a motion and hereby request this Court upon this motion to amend and correct said Judicial Notice. Wherefore Defendant prays this Court grant this motion to amend both Judicial Notices per Rules of Evidence, Rule 201. Also, the defendant asks and moves the court to disregard the previous Judicial Notice. Grant the defendant to proceed with the appropriate Judicial Notice.

Defendant's motion will be denied for the sole reason that I have no idea what he is asking me to do. Defendant refers to two documents, 357 and 378. He requests that they be amended, but he does not say what he wants changed. He refers to Federal Rule of Evidence 201;<sup>1</sup> however, that rule has nothing to do with any of

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<sup>1</sup>(a) **Scope of rule.** This rule governs only judicial notice of adjudicative facts.

(b) **Kinds of facts.** A judicially noticed fact must be one not subject to reasonable dispute in that it is either (1) generally known within the territorial jurisdiction of the trial court or (2) capable of accurate and ready determination by resort to sources whose accuracy cannot reasonably be questioned.

these documents and I cannot see how it would relate to a request to amend these previously-filed "notices" especially since defendant fails to state what he wants changed and fails to provide the information necessary for a court to take judicial notice of any specific fact.

It is

ORDERED that defendant's motion to amend (document number 432) is denied.

Defendant is once again strongly encouraged to reconsider his decision to represent himself in these proceedings.

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

Kansas City, Missouri  
July 28, 2011

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**(c) When discretionary.** A court may take judicial notice, whether requested or not.

**(d) When mandatory.** A court shall take judicial notice if requested by a party and supplied with the necessary information.

**(e) Opportunity to be heard.** A party is entitled upon timely request to an opportunity to be heard as to the propriety of taking judicial notice and the tenor of the matter noticed. In the absence of prior notification, the request may be made after judicial notice has been taken.

**(f) Time of taking notice.** Judicial notice may be taken at any stage of the proceeding.

**(g) Instructing jury.** In a civil action or proceeding, the court shall instruct the jury to accept as conclusive any fact judicially noticed. In a criminal case, the court shall instruct the jury that it may, but is not required to, accept as conclusive any fact judicially noticed.