

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 10-00162-16-CR-W-FJG
)	
THEODORE WIGGINS,)	
)	
Defendant.)	

**REQUEST BY THEODORE S. WIGGINS, PURSUANT TO RULE 17(a) and (b), FOR
ISSUANCE OF SUBPOENAS FOR TRIAL AND FOR PAYMENT OF WITNESS FEES
AND EXPENSES, WITH SUGGESTIONS IN SUPPORT**

Comes now defendant Theodore A. Wiggins, by attorney, and does hereby make request, pursuant to F.R.Cr.P. 17(a), that this Honorable Court issue its subpoena to certain witnesses for the defense, requiring that said persons appear before this Court and testify in the above captioned cause on and after February 21, 2012 at 9:00 AM. Mr. Wiggins does also request that this Court, pursuant to F.R.Cr.P. 17(b) and 28 U.S.C. 1825(a)(2), direct that the costs of witness fees and expenses be paid by the government. The grounds for these requests will be set forth in the subsequent numbered subparagraphs.

1. In the above captioned cause, Mr. Wiggins is charged in two counts of a Second Superseding Indictment, with conspiring to distribute controlled substances and with distribution of a controlled substance. The government has filed two notices pursuant to 21 U.S.C. §851. The government will seek a sentence upon conviction of 20 years to life.

2. Trial is scheduled to commence on February 21, 2012 at 9:00 a.m. before the Honorable Fernando J. Gaitan.
3. Through investigation, counsel for Mr. Wiggins has identified three witnesses who are critical and necessary for the defense. The name and address of each such witness, as well as an explanation for each as to her/his critical nature as a witness in this case, is set forth in the following:
 - A. **Melanie Vaughn-Kansas City** Ms. Vaughn is a long time friend of Mr. Wiggins. She will impeach the government's co-operating witness Shawn Hampton in his statement that he (Hampton) was introduced to Wiggins by government co-operating witness Terrance Blewett. Ms. Vaughn will testify that she introduced Mr. Wiggins to Shawn Hampton in connection with the purchase of a car Mr. Hampton wanted to sell.
 - B. **Corrections Officer Mitchell Hughes-CCA** C.O. Hughes will testify concerning admissions made to him by government co-operating witness Terrance Blewett concerning his (Blewett's) false statements to the government identifying Mr. Wiggins as the person on tapes of phone calls that were played for him (Blewett) by the government.
 - C. **Corrections Officer Saladano-CCA** C.O. Saladano will testify concerning admissions made to him by government co-operating witness Terrance Blewett concerning his (Blewett's) false statements to the government identifying Mr. Wiggins as the person on tapes of phone calls that were played for him (Blewett) by the government.

WHEREFORE, in light of the premises aforementioned, Mr. Wiggins does pray that this Honorable Court make and enter its Orders, directing issuance of its subpoenas to the aforementioned witnesses. Mr. Wiggins further prays that this Honorable Court Order that witness fees and costs for the witness be paid by the government. Mr. Wiggins additionally prays for any other and further relief which the Court may deem just and proper under the circumstances.

Respectfully submitted,

/s/ Michael W. Walker
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the above and foregoing was served electronically via the CM/ECF filing system, this 7th day of February, 2012, upon the following:

Brent Venneman, Assistant United States Attorney

/s/ Michael W. Walker

Michael W. Walker