

1 STEVEN C. BAILEY (CA SBN 146382)
2 BAILEY & ROMERO
3 680 Placerville Drive, Ste. A1
4 Placerville, CA 95667
5 (530) 212-3407
6 Steven@stevencbailey.org

7
8 **UNITED STATES DISTRICT COURT**
9 **FOR THE DISTRICT OF COLUMBIA**

10 UNITED STATE OF AMERICA,

11 Plaintiff,

12 vs.

13 RONALD MELE,

14 Defendant

Case No.: 1:21-cr-00392 -RCL-6

**DEFENDANT MELE’S AMENDED
MOTION FOR APPOINTMENT OF
COUNSEL UNDER THE CRIMINAL
JUSTICE ACT**

15
16 **DEFENDANT MELE’S MOTION FOR APPOINTMENT OF CJA COUNSEL**

17 TO THE HONORABLE ROYCE LAMBERTH, U.S. DISTRICT JUDGE FOR THE
18 DISTRICT OF COLUMBIA:

19 Mr. Ronald Mele, through his attorney, Steven C. Bailey, respectfully requests that this
20 Honorable Court have his current attorney appointed by the Court to represent him pursuant to
21 the Criminal Justice Act (“CJA”), 18 U.S.C. § 3006A. In support of the motion, Mr. Mele shows
22 as follows:
23

24 1. Undersigned counsel was hired by Mr. Mele in mid-June 2021, to represent him
25 in the above-mentioned matter. Since that time, Mr. Mele was fired from his well-paying job as
26 a salesman. Mr. Mele has had multiple issues related to this since this case was brought against
27 him and is happy to submit an affidavit under seal if the Court requests same. Mr. Mele also has
28

1 legal fees related to this outside of his criminal case.

2 2. Furthermore, Mr. Mele, along with multiple other defendants from this case and
3 several other criminal cases filed in this District Court, was sued civilly in Federal District Court
4 in the District of Columbia in *Smith, et. al. v. Donald Trump, et. al.*, 21 CV 2265(APM)(filed
5 August 26, 2021). The *Smith* case was brought by the Lawyers' Committee for Civil Rights
6 Under Law, a not-for profit partially funded by the Open Society Foundations which is founded
7 by George Soros. The original complaint was 71 pages, however, an amended complaint was
8 filed on December 3, 2021 and the complaint is now 79 pages. Mr. Mele has also had to hire
9 Mr. Bailey as his attorney of record in order to represent him in the civil case brought against
10 him.
11

12 3. Although this case progressed at a normal rate in the beginning, as far as criminal
13 discovery is concerned, however, during the months of September, October, November, and
14 February, the United States ramped up discovery went into overdrive and has produced tens, if
15 not hundreds of thousands of pages of discovery in this case. *See* ECF No. 81 and 124. With
16 regard to only these defendants in this case, there have been nine discovery productions by the
17 United States, most being produced in the months of September and October. Moreover, the
18 United States has even documented the amount of evidence in this case is voluminous, with not
19 only the hundreds of thousands of pages in discovery, but also the tens of thousands of
20 electronic files that have also been produced by the United States, where this case has only been
21 open for a year and eight months.
22

23 4. As the Court can imagine, Mr. Mele has exhausted the funds he has allocated and
24 saved in order to pay for this case, where he can no longer pay undersigned counsel.
25

26 5. As Mr. Mele previously stated in his sealed declaration attached to his Motion
27
28

1 for Permission to Relocate, he was effectively fired from his job within days of the indictment,
2 and although he was able to find new employment during the post-indictment time period,
3 through a job that pays barely above minimum wage rendering Mr. Mele underemployed.
4 Moreover, Mr. Mele's relocation has again placed him back on the job market. Therefore, the
5 minimum wage job has not and will not provide Mr. Mele with the extra funds that he needs to
6 pay for undersigned counsel. Mr. Mele is now without savings, and without a way to pay for
7 undersigned counsel.
8

9 6. Mr. Mele specifically requests the appointment of his current attorney, rather
10 than appointment of new counsel. Undersigned counsel has represented Mr. Mele for nearly a
11 year and eight months, essentially through the entirety of this case, plus undersigned counsel is
12 thoroughly and intimately familiar with the case.
13

14 7. Furthermore, with the actual trial on the horizon, and several motion hearings
15 being set in this case for which undersigned counsel must appear for, it is imperative that
16 undersigned counsel remain on the case.
17

18 8. Defending this case, organizing and going through the discovery, preparing for
19 hearings, and filing motions etc. in this case has and will continue to be a monumental task.
20 Undersigned counsel's associate attorney consulted with counsel (Kira West) for co-defendant
21 (Mr. Warner) before filing this motion. A financial affidavit has been executed by Mr. Mele and
22 emailed to Ms. Jenkins, the courtroom deputy.
23

24 Therefore, Mr. Mele respectfully requests that undersigned counsel be appointed under
25 the CJA Act to represent him in this case. The continuity of counsel would best serve Mr. Mele.
26 Undersigned counsel has spent an inordinate amount of time in the case and is at this time in the
27 best position to continue representing Mr. Mele in this case.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Respectfully submitted,

Dated: February 26, 2023

By: /s/ Steven C. Bailey

Steven C. Bailey

Attorney for the Defendant

RONALD MELE

CERTIFICATE OF SERVICE

I, Steven C. Bailey, hereby certify that on February 9, 2023, I caused a copy of this Motion for Appointment of Counsel Under the Criminal Justice Act to be delivered to the parties of record by filing it electronically.

/s/ Steven C. Bailey

Steven C. Bailey

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATE OF AMERICA,

Plaintiff,

vs.

RONALD MELE,

Defendant

Case No.: 1:21-cr-00392-RCL-6

ORDER GRANTING APPOINTMENT OF
COUNSEL UNDER THE CRIMINAL
JUSTICE ACT (PROPOSED)

ORDER GRANTING APPOINTMENT OF CJA COUNSEL (PROPOSED)

Before the court is Defendant, Ronald Mele's amended motion [] to appoint his counsel, Mr. Steven C. Bailey, as his counsel under the Criminal Justice Act ("CJA"). In June 2021, Defendant retained Mr. Bailey as his counsel to represent him in this criminal case. Mr. Mele was terminated from his employment and is at this point underemployed with his current employment and contends that he no longer can pay Mr. Bailey. Defendant provided a financial affidavit in support of his request, which the court will file under seal. Upon Consideration of defendant's motion, it is hereby

ORDERED that Steven C. Bailey is appointed as counsel for defendant under the CJA, to be effective representation from this date forward. Pursuant to 18 U.S.C. § 3006A(c) & (f), at the conclusion of this case the Court will determine whether Defendant has funds available to pay for part or all of the representation, and if so, the amount of such funds the Defendant shall pay towards the representation.

IT IS SO ORDERED.

Date: _____

Royce C. Lamberth
United States District Judge