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Leave to file GRANTED
by Judge Amit P. Mehta
on 11/29/2022.

6 U.S. DISTRICT COURT FOR D.C.
7 COMMON-LAW JURISDICTION

8 UNITED STATES OF AMERICA INC., Case No.: 1:21-cr-28
(Delaware corporate file #2193946)

9 UNITED STATES GOVERNMENT
10 (D&B no. 05271496), & US DOJ (D&B #
0011669674) FERETTA MOTION

11 Plaintiff,

12 vs.

13 :james beeks:
14 Defendant
15

16 FERETTA MOTION

17 Comes now :james beeks: (the Accused) by special appearance, an Aborigine
18 Autochthon, 5/5ths realized **Free Qualified** Inhabitant, and **Private Citizen** of
19 Turtle Island/Amaru-Inca (now known as America); who upholds the **Great Law of**
20 Peace, a lawful de jure, jus sanguinis **Preamble Citizen** of the Florida Republic
21 *{1861-1865}* in his own proper person sui juris pursuant to the **unpurviewed**
22 *6th Article of the Bill of Rights, the 9th Article of Amendment* to the
23 *Constitution for the United States {1787-1791}* and other applicable
24 provisions of law, knowingly and intelligently, with full awareness of the
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1 dangers of proceeding sui juris respectfully requesting a Faretta
2 motion for the duration of this litigation process.
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4 *"In all criminal prosecutions, the accused shall enjoy the right to a speedy and*
5 *public trial, by an impartial jury of the State and district wherein the crime shall*
6 *have been committed, which district shall have been previously ascertained by law,*
7 *and to be informed of the nature and cause of the accusation; to be confronted with*
8 *the witnesses against him; to have compulsory process for obtaining witnesses in*
9 *his favor, and to have the Assistance of Counsel for his defense.*

10 *The Court has held that the Sixth Amendment, in addition to guaranteeing the*
11 *right to retained or appointed counsel, also guarantees a defendant the right to*
12 *represent himself. It is a right the defendant must adopt knowingly and*
13 *intelligently; under some circumstances the trial judge may deny the authority to*
14 *exercise it, as when the defendant simply lacks the competence to make a knowing*
15 *or intelligent waiver of counsel or when his self-representation is so disruptive of*
16 *orderly procedures that the judge may curtail it. The right applies only at trial;*
17 *there is no constitutional right to self-representation on direct appeal from a*
18 *criminal conviction.*

19 *The essential elements of self-representation were spelled out in McKaskle v.*
20 *Wiggins, a case involving the self-represented defendant's rights vis-a-vis "standby*
21 *counsel" appointed by the trial court. The "core of the Faretta right" is that the*
22 *defendant "is entitled to preserve actual control over the case he chooses to present*
23 *to the jury," and consequently, standby counsel's participation "should not be*
24 *allowed to destroy the jury's perception that the defendant is representing himself."*
25 *But participation of standby counsel even in the jury's presence and over the*
26 *defendant's objection does not violate the defendant's Sixth Amendment rights*
27 *when serving the basic purpose of aiding the defendant in complying with routine*
28 *courtroom procedures and protocols and thereby relieving the trial judge of these*
tasks.

Faretta v. California, 422 U.S. 806 (1975). An invitation to
overrule Faretta because it leads to unfair trials for defendants was declined in
Indiana v. Edwards, 128 S. Ct. 2379, 2388 (2008). Even if the defendant exercises
his right to his detriment, the Constitution ordinarily guarantees him the
opportunity to do so. A defendant who represents himself cannot thereafter
complain that the quality of his defense denied him effective assistance of counsel.
422 U.S. at 834-35 n.46. The Court, however, has not addressed what state aid,
such as access to a law library, might need to be made available to a defendant
representing himself. Kane v. Garcia Espitia, 546 U.S. 9 (2005) (per curiam).

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Related to the right of self-representation is the right to testify in one's own defense. Rock v. Arkansas, 483 U.S. 44 (1987) (per se rule excluding all hypnotically refreshed testimony violates right).

The fact that a defendant is mentally competent to stand trial does not preclude a court from finding him not mentally.

I attest that I am mentally competent and able to proceed sui juris and waive my right to counsel.

WHEREFORE: :james beeks: respectfully moves the court to grant permission to exercise his right to be in (pro per) sui juris going forward.

11/28/22



:james beeks: © All Rights Reserved
Principal, by Special Appearance,
independent Personam, in Propria
Persona, proceeding Sui Juris. My Hand
and Mark as Subscriber.

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CERTIFICATE OF SERVICE

On this 28th day of NOVEMBER, 2022, before me, the undersigned, a Notary Public in and for JAMEL DELISCO DEEKS (state), personally appeared the above-signed, known to me to be the one whose name is signed on this instrument, and has acknowledged to me that s/he has executed the same.

Signed: [Signature] STATE SEAL

Printed Name:
EZRA M. PALAFOX



EZRA M. PALAFOX
Notary Public
State of Florida
Comm# HH304997
Expires 8/24/2026

Date: 11/28/2022

My Commission Expires: 08/24/2026