

*Leave to file is granted.
Judge Walter
7/6/23*

The United States

v.

Daniel Michael Morrissey

Case: 1:21-cr-00660-RBW

Daniel Michael Morrissey, MBA
[REDACTED]

4/17/23

Honorable Reggie B. Walton
U.S. Federal Court
333 Constitution Ave, N.W.
Washington D.C. 20001

Reference: Case No.: 1:21-cr-00660-RBW

Your Honor:

As I am sure by now, you are tired of reading, and, or receiving submissions from me (I don't blame you) and I understand that you've forgotten more about the law than I'll ever know, so I apologize for my novice approach, but I am doing the best I can. I hope you can appreciate that.

I have included all relevant and related documents as evidence to your chamber to prove my allegations of a Brady Violation in my case. The communications enclosed included: emails to and from Mr. Solis, communications between The State Bar of California, its various investigators, emails to and from Mr. Tortorice, communications from me to your chamber, and various other legal documents with regard to my case.

Your Honor, the impetus for my petition to your chamber on March, 14th, 2023 was due to the recent development in the Jacob Chansley case, where it was found out, that the prosecution was withholding video evidence in his case (as they are in mine). Once those revelations came to light, Mr. Chansley's sentence went from 40-something months in a Federal prison to being housed in a halfway house, withing a matter of weeks, if not days. I would like the court to know I have no affiliation with Mr. Chansley, nor anyone else that was present on January 6th, and that I am only illustrating Mr. Chansley's case as it is analogous to mine.

Your Honor, I'll let the documents speak for themselves, and keep my synopsis to a bare minimum. The documents are in chronological order, earliest to latest.

Mr. Solis knew from day-one of his representation of me, the prosecution was legally obligated to provide all evidence to the defense, especially Brady Material (I've included an email trail where I specifically ask Mr. Solis for the video of my entry in the Captiol).

The prosecution never provided the video of my entry into the Capitol.

Mr. Solis, to the best of my knowledge never asked the prosecution for the video of my entry until 10/15/22 at 8:25am, see email entitled "Daniel Morrissey; 21-cr-660-RBW"

On July 14th you granted me a status hearing to let me voice my concerns, thank you. I did my best to tell you that the prosecution is withholding Brady evidence.

danmorrissey@proton.me
[REDACTED]

At that time, both Mr. Solis and Mr. Tortorice had a legal obligation to confirm my allegations, both stayed silent and made me look like a fool.

I would allege at that point in time, they conspired against me, as they both knew what I was saying was true, and I had all of the evidence to support my claim.

Your Honor, you are a Federal Judge, I'm a common man, this is the first (and only) time I will ever be in this position. I am intimidated. I don't know the proper legal jargon, or terms to articulate my point. Mr. Solis does, as does Mr. Tortorice, neither uttered a word.

As you will see from the evidence I have provided, Mr. Solis says one thing to me, and another thing to the court. Mr. Solis allowed me, not once, but twice to enter a guilty plea without ever getting the one piece of evidence I need to mount a proper defense.

I even provided Mr. Solis with the video I found in the public domain. Mr. Solis never received, or to the best of my knowledge, sought the evidence I needed to make an informed decision (either time) until months after I was sentenced. **What kind of defense attorney is that?**

That does not excuse the actions, or lack thereof, of Mr. Tortorice, as he knew the prosecution had a legal obligation to disclose any, and all Brady Material, if the prosecution knew of the evidence, or not, which they did.

Both Mr. Solis, and Mr. Tortorice knew the law, I did not. I retained Mr. Solis' "services" as I am unconsciously incompetent when it comes to the law, I don't know, what I don't know. Both the "defense" and prosecution knew their obligations, yet they sent me out like a lamb to slaughter.

I can understand Mr. Tortorice's motivations in remaining silent, he wanted the conviction. However, that does not excuse his actions, as he has an affirmative duty to provide the defense with all the evidence, especially Brady Material.

The prosecution dare not provide the evidence of my entry into the Capitol because the prosecution knew how damning the evidence would be to their case, and that the evidence would help my defense.

As to Mr. Solis' intentions, God only knows why. However, I believe I have a hunch, based on a comment Mr. Solis said to me via text where he stated he'd "...rather snort bath salts than (vote) for President Trump" I included that piece of evidence in my case to the State Bar of California complaint, which as you know, I decided to drop after the status hearing call on July 14th, 2022, as I cannot afford to retain the "services" of another attorney at that time, or thereafter. I've enclosed the screenshot.

Your Honor, regardless of my political beliefs, leanings, or who I decide to vote for, I am Constitutionally guaranteed equal protection under the law. Had my political affiliation been any other form of protected class, such as race, creed, sexual orientation, etc. and Mr. Solis made a similar comment such as, "I would rather snort bath salts than (represent) a black woman, a Muslim man, or a trans-gender individual" that would be considered discriminatory.

danmorrissey@proton.me
[REDACTED]

As I said, I cannot understand Mr. Solis' motives for his "representation" of me, but Mr. Solis had a duty, under the law, to get the evidence I needed to mount a proper defense. I even provided Mr. Solis with the evidence I needed, found in the public domain, however, Mr. Solis never even asked for the evidence from the prosecution, until months after I was sentenced. Inexcusable!

Mr. Solis did not give me the ability to choose whether, I should go to trial, or enter a plea bargain, by never securing the one piece of evidence I needed. He knew what the prosecution was doing violated Brady. He knew it, even before I found out about Brady, April 14th, 2022, six weeks after I entered my guilty plea in your courtroom.

Never in my life have I heard of a "defense" attorney that refuses to defend their client. Mr. Solis was a fiduciary, I trusted him to know the law, because I don't. Mr. Solis failed me time and again during his "representation" of me.

Your Honor, this is why I have petitioned your chamber since I discovered Brady April 14th, 2022. I will let the evidence I submitted in my final submission (I promise, there will no more), speak for itself.

Your Honor, as I stated, I am a common man, and a novice, at best when it comes to the law. I am afforded the right to competent counsel, which Mr. Solis has been anything, but. I ask you please consider all of my submissions, in their totality and see that what I said in my last submission is true, **the truth has been withheld from the court**, and I have told the truth since the onset of my legal proceeding.

- I know it.
- Mr. Solis knows it.
- Mr. Tortorice knows it.

Your Honor, I am asking if you see fit, to subpoena all communications between Mr. Solis and the State with regard to my case. I am telling the truth, I always have been. I have nothing to hide. I believe there is a legal precedent established in Ted Stevens v. United States, 2009.

Your Honor, in closing, I thank you for being patient with me, I know I can be persistent (I have an A-Type personality), and like I said in my last submission, I would not be this **BOLD**, nor would I be this persistent, if I didn't have the video and can prove everything I'm alleging.

I appreciate your time and consideration.

Sincerely,

Daniel Michael Morrissey, MBA

danmorrisey@proton.me