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MOTION FOR CONTINUANCE TO SEEK COMPETENT
COUNSEL WITH DECLARATION IN SUPPORT

In re:

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

UNITED STATES OF AMERICA
Plaintiff

vs.

Richard Slaughter, and
Caden Gottfried
Defendant

) Criminal No. 1:22-cr-00354-RCL-1 and 2
)
) MOTION FOR AN ADDITIONAL 60 TO 90 DAYS
) CONTINUANCE WITH AFFIDAVIT IN SUPPORT
) FILED SEPARATELY
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MOTION FOR A 60 TO 90 DAYS CONTINUANCE WITH DECLARATION IN SUPPORT
FILED SEPARATELY AS AN OFFER OF PROOF THAT I AM ACTIVELY AND
DILIGENTLY SEEKING THE EFFECTIVE ASSISTANCE OF COUNSEL AS ENVISIONED
BY THE SIXTH AMENDMENT TO THE U.S. CONSTITUTION

COMES NOW, Richard Slaughter and Caden Gottfried by special appearance and NOT
generally pursuant to RCW 2.48.010, and respectfully moves this court, pursuant to Fed. R.

1 Crim. Pro. 45 (b)(1), for an additional extension of time of approximately 60-90 days or in the
2
3 alternative an additional 45-60 days to seek the competent and "effective assistance of counsel"
4
5 as envisioned by the Sixth Amendment to the U.S. Constitution and pursuant to article 1, section
6 22 of the Washington State Constitution which is mandatory and binding upon this court
7
8 pursuant to 28 U.S.C. 1652; FRCP Rule 64; 28 U.S.C. 1333; 42 U.S.C. 1988.; RCW 4.04.010;
9 CrR 1.1; Strickland v. Washington, 466 U.S. 668, 687, 80 L.Ed.2d 674, 104 S.Ct. 2052, 2064
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11 (1984) and People v. Marsden, 2 Cal. 2d 118 (1970).

12 The Right to the "effective assistance of counsel" is constitutionally guaranteed by the
13
14 Sixth Amendment and article 1, section 22 (10th Amendment) of the Washington State
15
16 Constitution; State v. Thomas, 109 Wn.2d 222, 229, 743 P.2d 816 (1987); Dorsey v. King
17 County, 51 Wn.App. 664, 751 P.2d 859, 865, 754 P.2d 1255, 1261 (1988); State v. Stewart, 113
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19 Wn.2d 462, 467, 780 P.2d 844 (1989); In re Riley, 122 Wn.2d 772, 779-80, 863 P.2d 554
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21 (1993); State v. Holly, 75 Wn.App. 191, 876 P.2d 973 (1994); Tully v. State, 4 Wn.App. 720,
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23 483 P.2d 1268 (1971); State v. Emert, 94 Wn.2d 839, 621 P.2d 121 (1980); Powell v. Alabama,
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25 287 U.S. 45, 77 L.Ed. 158, 53 S. Ct. 55, 84 A.L.R. 527 (1932); McMann v. Richardson, 394 U.S.
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27 759, 25 L.Ed.2d 763, 90 S.Ct. 1441 (1970).
28

1 The right to the effective assistance of counsel is the right "to require the prosecution's
2 case to survive the crucible of meaningful adversarial testing." United States v. Cronin, 466 U.S.
3 648, 656, 80 L.Ed.2d 657, 104 S.Ct. 2039, 2045 (1984); Kimmelman v. Morrison, 477 U.S. 365,
4 374, 91 L.Ed.2d 305, 106 S.Ct. 2574, 2582 (1986). This guarantee of legal counsel is a
5 fundamental right made obligatory on the states by the Fourteenth Amendment. Gideon v.
6 Wainwright, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799 (1963). Under the Sixth Amendment, a
7 person has the right to be represented by counsel at every critical stage of a proceeding, i.e.
8 where the results might settle the issue. Kirby v. Illinois, 406 U.S. 682, 32 L.Ed.2d 411, 92 S.Ct.
9 1877 (1977); Cuyler v. Sullivan, 445 U.S. 335, 344, 100 S.Ct. 1708, 64 L.Ed.2d 333 (1980);
10 Seattle v. Ratliff, 100 Wn.2d 212, 667 P.2d 630 (1983).

11 This extension of time is necessary to seek an find competent counsel and further to allow
12 counsel to appear, become familiar with and adequately prepare this case for trial, including the
13 opportunity to file any necessary motions. An extension is also necessary to prevent a
14 miscarriage of justice.

15 This motion is based upon the Notice of Termination of Counsel and supporting
16 declarations of Richard Slaughter and Caden Gottfried that we are actively and diligently
17 seeking counsel to defend us in this case and that we am seeking a continuance or extension of
18

1 time to do the same until we find counsel that is willing to provide us the "effective assistance of
2
3 counsel" as envisioned by the Sixth Amendment of the United States Constitution, and article 1,
4
5 section 22 of the Washington State Constitution.

6 **CERTIFICATE OF SERVICE**

7
8
9 I, we Richard Slaughter and Caden Gottfried, hereby certify that on this day, November 17,
10
11 2023, I, we caused a copy of the foregoing document to be served on all counsel via email
12 because I do not currently have access to file my own documents through the Court's CM/ECF
13 case filing system. – Note: I respectfully request to be given access to the Court's CM/ECF case
14 filing system.
15
16

17
18 
19 _____
20 Richard Slaughter

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22 
23 _____
24 Caden Gottfried

25 Dated this 17th day of November, A.D. 2023.
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