

IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

pg 67- lines 15-19 ??

UNITED STATES OF AMERICA,)
)
 PLAINTIFF,)
)
 VS.)
)
 STEVEN WILLIAM SUTCLIFFE,)
)
)
 DEFENDANT.)

DOCKET NUMBER
CR-2002-350(A)-AHM

LOS ANGELES, CALIFORNIA
SEPTEMBER 26, 2003

TRANSCRIPT OF PROCEEDINGS
BEFORE THE ~~HONORABLE~~ A. HOWARD MATZ,
UNITED STATES DISTRICT JUDGE

APPEARANCES:

FOR THE PLAINTIFF:

ELENA J. DUARTE,
ASST. U.S. ATTORNEY
LOS ANGELES, CA

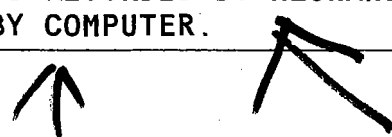
FOR THE DEFENDANT:

STEVEN WILLIAM SUTCLIFFE,
PRO SE
DAVID R. REED, STAND-BY COUNSEL
ATTORNEY AT LAW
LOS ANGELES, CA

COURT REPORTER:

NANCY SMITH-WELLS
UNITED STATES COURTHOUSE
312 N. SPRING STREET
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LOS ANGELES, CA 90012
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PROCEEDINGS RECORDED BY MECHANICAL STENOGRAPHY, TRANSCRIPT
PRODUCED BY COMPUTER.



1 (IN LOS ANGELES, LOS ANGELES COUNTY, CALIFORNIA; FRIDAY,
2 9-26-03, IN OPEN COURT.)

3 THE DEPUTY CLERK: CALLING ITEM NUMBER ONE,
4 CR-02-350(A), USA VS. STEPHEN WILLIAM SUTCLIFFE.

5 COUNSEL, STATE YOUR APPEARANCES PLEASE.

6 MS. DUARTE: GOOD MORNING, YOUR HONOR. ELAINE A. DUARTE
7 FOR THE UNITED STATES. WITH ME ARE JASON GONZALEZ, A.U.S.A. AND
8 JEFF CUGNO FROM THE F.B.I.

9 THE COURT: OKAY. GOOD MORNING TO ALL OF YOU.

10 MR. SUTCLIFFE: GOOD MORNING, YOUR HONOR. STEVEN
11 SUTCLIFFE, PRESENT IN COURT.

12 THE COURT: GOOD MORNING, MR. SUTCLIFFE.

13 MR. REED: GOOD MORNING, YOUR HONOR. DAVID REED,
14 STANDBY COUNSEL.

15 THE COURT: AND GOOD MORNING TO YOU AS WELL. WE HAVE A
16 LOT OF ITEMS THAT WE NEED TO DISCUSS, AND IN RESPECTS TO THE FIRST
17 AND THRESHOLD ONE SHOULD BE THE STATUS OF MR. SUTCLIFFE'S
18 PREPARATION AND OPPORTUNITY TO PREPARE FOR TRIAL AND HIS
19 REPRESENTATION, AND I THINK WE WILL GET TO THAT VERY SHORTLY BUT
20 AS AN ACCOMMODATION AND INTENDED COURTESY TO A NUMBER OF OTHER
21 PEOPLE WHO HAVE COME TO ADDRESS DIFFERENT ISSUES SO THAT THEY
22 WON'T HAVE TO RETURN AT THE LUNCH BREAK, I'M GOING TO START WITH
23 THOSE. SO WE WILL TALK ABOUT MR. SUTCLIFFE'S REQUESTS, INCLUDING
24 THOSE THAT WERE SENT TO ME AND RECEIVED IN LETTER FORM. I GOT 'EM
25 LATE LAST NIGHT CAUSED THEM TO BE FILED TODAY.

1 MAKE YOUR CHOICE. YOU NEED TO TELL ME WHAT YOUR CHOICE IS. IF
2 YOU CHOOSE TO EXERCISE YOUR RIGHT TO SELF-REPRESENTATION, THAT
3 WILL BE GRANTED, IT WILL BE HONORED. IF YOU CHOOSE TO HEDGE AND
4 EQUIVOCATE, I'M NOT SURE WHAT I'LL DO. IF YOU CHOOSE TO SAY, YOU
5 KNOW WHAT, I GOT A LOT AT STAKE HERE AND I HAVE FIGURED OUT A
6 DEFENSE AND I DON'T KNOW WHICH ONE THAT MR. NICOLAYSEN THOUGHT
7 MIGHT WORK, I DON'T KNOW WHAT MR. REED'S VIEWS ARE. I DON'T
8 EXPECT HIM, AND HE'S NOT BEING ASKED TO ARTICULATE ANY. I CAN
9 BEGIN TO SEE WHAT SOME OF YOURS ARE AND MAYBE THIS IS A VERY
10 TRIABLE CASE, MAYBE YOUR -- MAYBE IN THIS CASE IS NOT AS
11 FOREORDAINED OR CERTAIN AS SOME PEOPLE MIGHT THINK.

12 SO A PRUDENT THING TO DO FOR SOMEBODY IN YOUR SITUATION
13 WOULD BE IS I'LL TAKE MY BEST SHOT AT IT. YOU CAN TAKE YOUR BEST
14 SHOT AT BEING YOUR OWN LAWYER, IF YOU WANT, OR YOU CAN BE A
15 LAWYER. BUT IF YOU DO THE SAME THING AGAIN, MR. SUTCLIFFE, OR THE
16 SAME THING HAS BEEN ESTABLISHED ON FOUR DIFFERENT OCCASIONS WHERE
17 YOU HAVE TRIED TO CONTROL AND DIRECT AND LIMIT THE LAWYER WHO HAS
18 BEEN DOING HER BEST OR HIS BEST TO REPRESENT YOU AND HAVE
19 INTERFERED WITH THE RIGHT AND THE NEED AND THE OBLIGATION AND THE
20 DUTY OF THAT LAWYER TO EXERCISE INDEPENDENT JUDGMENT AND
21 PROFESSIONAL CARE IN REPRESENTING YOU, AND IF AS HAPPENED FOUR
22 PREVIOUS TIME -- AT LEAST -- I'M NOT SURE. IT'S FAIR TO SAY IT
23 HAPPENED AD NAUSEAM. YOU TURN ON THE LAWYER AND YOU SUE THE
24 LAWYER AND YOU REFUSE TO TALK TO THE LAWYER AND YOU THREATEN THE
25 LAWYER, THEN THAT WILL BE A REINFORCED DEFINITIVE STATEMENT BY