

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KEVIN TOMMIE HALL,

Defendant.

CRIMINAL ACTION

No. 06-20162-01-KHV

ORDER

On October 7, 2008, a jury found defendant guilty of armed bank robbery, using, carrying or brandishing a firearm during and in relation to a crime of violence and possession of a firearm by a convicted felon. See Verdict (Doc. #104). This matter is before the Court on defendant's *pro se* Motion For Discovery (Doc. #106) filed November 25, 2008.

Defendant asks the Court to order his counsel to produce certain documents related to the investigation in the case by a defense expert and investigator. Defendant has not shown a particularized need for these documents. In any event, the Court declines to consider the merits of defendant's motion because he filed it *pro se* while he is represented by counsel. See United States v. Sandoval-DeLao, 283 Fed. Appx. 621, 625 (10th Cir. 2008) (no error in refusal to consider *pro se* motion when defendant was represented by counsel); United States v. Castellon, 218 Fed. Appx. 775, 780 (10th Cir. 2007) (if criminal defendant is represented by counsel, court does not accept *pro se* filings or allegations); United States v. McKinley, 58 F.3d 1475, 1480 (10th Cir. 1995) (no constitutional right to "hybrid form of representation").

IT IS THEREFORE ORDERED that defendant's *pro se* Motion For Discovery (Doc. #106) filed November 25, 2008 be and hereby is **OVERRULED**.

Dated this 2nd day of December, 2008 at Kansas City, Kansas.

s/ Kathryn H. Vratil
KATHRYN H. VRATIL
United States District Judge