

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

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>CRIMINAL ACTION</b>
<b>v.</b>	)	
	)	<b>No. 09-20034-03-KHV</b>
<b>JESUS ROBLES,</b>	)	
	)	
<b>Defendant.</b>	)	
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**ORDER**

This matter is before the Court on defendant’s letter (Doc. #88) filed October 28, 2009, which the Court construes as a pro se motion for new counsel; defendant’s letter (Doc. #90) filed November 13, 2009, which the Court construes as a pro se motion for copies of docket sheet and documents; and defendant’s letter (Doc. #91) filed November 13, 2009, which the Court construes as a renewed motion for new counsel and for transcripts.

Initially, the Court overrules defendant’s pro se motions because he is represented by counsel who did not sign the motion. See Fed. R. Civ. P. 11 (every pleading, written motion and other paper shall be signed by at least one attorney of record); United States v. Sandoval-DeLao, 283 Fed. Appx. 621, 625 (10th Cir. 2008) (no error in refusal to consider pro se motion when defendant represented by counsel); United States v. Castellon, 218 Fed. Appx. 775, 780 (10th Cir. 2007) (if criminal defendant 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”). In addition, for reasons stated on the record at the hearing on December 1, 2009, the Court finds that defendant’s motions lack substantive merit. Specifically, defense counsel is zealously and effectively representing defendant and is prepared to commence trial on December 7, 2009, and defendant has not shown good cause for appointment of new counsel the week before trial. Defendant may be

understandably apprehensive about the prospect of trial next week. This case is very straightforward and relatively simple, however, and defendant has identified no material deficiencies in counsel's preparation for trial.

**IT IS THEREFORE ORDERED** that defendant's letter (Doc. #88) filed October 28, 2009, and which the Court construes as a pro se motion for new counsel, be and hereby is **OVERRULED**.

**IT IS FURTHER ORDERED** that defendant's letter (Doc. #90) filed November 13, 2009, and which the Court construes as a pro se motion for copies of docket sheet and documents, be and hereby is **OVERRULED**.

**IT IS FURTHER ORDERED** that defendant's letter (Doc. #91) filed November 13, 2009, and which the Court construes as a renewed motion for new counsel and for transcripts, be and hereby is **OVERRULED**.

Dated this 2nd day of December, 2009, at Kansas City, Kansas.

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