

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 10-40014-JTM

RITO VASQUEZ-GARCIA,

Defendant.

MEMORANDUM AND ORDER

Before the court is defendant Rito Vasquez-Garcia's *pro se* Motion for Evidentiary Hearing (Dkt. 203). Defendant requests an evidentiary hearing pursuant to specific Federal Rules of Evidence pertaining to the admissibility of character evidence.

"[W]hen defendants have the assistance of counsel, courts need not consider any filings made *pro se*." *United States v. Sandoval-De Lao*, 283 F. App'x 621, 625 (10th Cir. 2008); *accord United States v. Bennett*, 539 F.2d 45, 49 (10th Cir. 1976). Defendant is represented by counsel and his *pro se* motion is unintelligible. Therefore, the court will not consider the motion.

IT IS ACCORDINGLY ORDERED this 5th day of March, 2015, that defendant's Motion (Dkt. 203) is DENIED.

s\ J. Thomas Marten
J. THOMAS MARTEN, JUDGE