

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

KARL CARTER,

Defendant.

Case No. 16-20032-02-JAR

MEMORANDUM AND ORDER

This matter comes before the Court on interested parties Tywan A. Poole's and Michael A. Garrett's *pro se* motions for discovery and return of seized property under Fed. R. Crim. P. 41(g) (Docs. 751, 752). Both movants appear to be in custody, serving sentences imposed by the judges in the United States District Court for the Western District of Missouri. The movants allege that members of the United States Attorney's Office ("USAO") in the District of Kansas obtained audio and video recordings of their meetings with defense counsel while detained at the Corecivic Detention Facility in Leavenworth, Kansas. They seek to intervene in this case to obtain discovery and return of their recordings.

This case deals exclusively with the Sixth Amendment claims of CoreCivic detainees prosecuted by the USAO for the District of Kansas. The Office of the Federal Public Defender for the District of Kansas ("FPD") has been appointed to represent all litigants from the District of Kansas who seek relief on claims such as these. The Court has ordered the return of all recordings to the FPD, which will then determine whether and to what extent to seek relief for individual litigants under 28 U.S.C. § 2255. That office has not been appointed to represent

litigants from the Western District of Missouri. Thus, the Court finds no basis to allow non-District of Kansas litigants to intervene in this matter for the purposes of obtaining relief.

IT IS THEREFORE ORDERED BY THE COURT that Tywan A. Poole's and Michael A. Garrett's *pro se* motions for discovery and return of seized property under Fed. R. Crim. P. 41(g) (Docs. 751, 752) are **denied**.

IT IS SO ORDERED.

Dated: August 14, 2019

S/ Julie A. Robinson
JULIE A. ROBINSON
CHIEF UNITED STATES DISTRICT JUDGE