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**Sent:** Tuesday, April 30, 2019 10:00 AM  
**To:** Sharon Scheurer <[Sharon\\_Scheurer@ksd.uscourts.gov](mailto:Sharon_Scheurer@ksd.uscourts.gov)>  
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**Subject:** John Bradin v. Linda Thomas, Warden, and U.S. Board of Probation & Parole, 19-3041-JWL

Your Honor,

As the Court directed, I visited Mr. Bradin at the Core Civic facility. Our office also prepared two documents to reflect whether: 1) Mr. Bradin desired the Federal Defender to remain his attorney; or (2) whether he wanted to hire his own attorney or continue the case pro-se. Without disclosing client confidences, we are unable to present either document with Mr. Bradin's signature. Mr. Bradin did provide me a document titled "Notice of Refusal to Waive 6th Amendment Right to Hire Counsel of Choice." I have scanned and attached a copy of that document.

Mr. Bradin appears to no longer request the assistance of the Federal Defender. We remain willing to help in any way that respects Mr. Bradin's interests and independence, as there are legitimate due process issues related to the handling of Mr. Bradin's parole detainer and his right to a timely parole hearing. The resolution of the case has progressed in the last two weeks. We have spoken to counsel for the Parole Commission and received an expedited offer to resolve Mr. Bradin's parole hearing. Those communications were passed on to Mr. Bradin as was a copy of the expedited offer.

We defer to the Court on how to move forward.

Sincerely,

- David

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**UNITED STATES DISTRICT COURT**  
**District of Kansas**  
**Kansas City, Ks.**  
**NOTICE OF REFUSAL TO WAIVE 6TH AMENDMENT RIGHT**

**TO HIRE COUNSEL OF CHOICE**

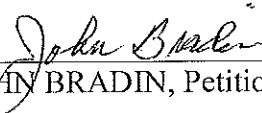
I, JOHN BRADIN, Petitioner in Petition for Writ of Habeas Corpus, Case No. 19-cv-3041-JWL, before U.S. District Judge John W. Lungstrum, do hereby swear that I have not, at any time since the filing of this petition, requested appointment of counsel to represent me in this petition, because the 6<sup>th</sup> Amendment of the United States constitution does not require such an appointment for an indigent person.

The petitioner asserts that he is not an indigent person, and that **all his assets are being held illegally**, and that the U.S. Parole Commission and U.S. Attorney's Office, who were required to respond by April 8<sup>th</sup>, 2019 to a Request for Subpoena and Motion for Release of Funds, and filed a Response with illegal typed signature pursuant to Rule 11(a), Fed. R. Civ. P. by Terra Morehead, and a Motion for Extension of Time, which was without jurisdiction, due to the fact that it had an illegal, typed signature under Rule 11(a) which must be stricken, and because the U.S. Attorney's have **NEVER**, at any time, filed a Notice of Appearance to represent the respondents, leaving only the Petitioner's Request for Entry of Default, Affidavit, and Motion for Entry of Default Judgment as properly filed and ready for hearing pursuant to the EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS AD TESTIFICANDUM filed April 19<sup>th</sup>, 2019, with the Petitioner present at the hearing.

The Petitioner sets forth that **he has not waived his 6<sup>th</sup> Amendment right to hire counsel of his own choice**, and asserts his right to hire and be represented by counsel of choice. Goldberg v. Kelly, 397 US 254, 25 L.Ed.2d 287, 90 S.Ct. 1011(1970); "...**nonetheless plainly dictates that (a parolee) MUST be allowed to retain an attorney if he so desires.**" Id., at 270, 25 L.Ed.2d at 300.(emphasis

added.) And where the Petitioner has proven, beyond a reasonable doubt, in his Motion for Reconsideration 1, filed along with a Notice of Appeal on April 11<sup>th</sup>, 2019, which the Court has illegally not ruled on or filed, that; "...the pretrial, postindictment restraint of a defendant's assets without affording the defendant immediate, postrestraint adversary hearing at which the government is required to prove the likelihood that the restrained assets are subject to forfeiture **violates the due process clause** to the extent that **it actually impinges on the defendant's qualified right to counsel of choice.**", Id, at 731, (emphasis added) the Court is required by the Petitioner's 5<sup>th</sup> Amendment "due process" right to enter judgement for default for all remedy and relief requested, and as the law requires, immediately, pursuant to Rule 55(d), Fed.R.Civ.P., as a sanction against the respondents.

Signed and sworn under penalty of perjury this 26<sup>th</sup> day of April, 2019.

  
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JOHN BRADIN, Petitioner