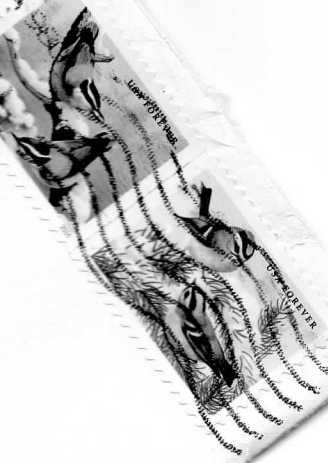


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UNITED STATES DISTRICT COURT  
DISTRICT OF WASHINGTON

IN THE MATTER OF:  
UNITED STATES OF AMERICA  
Plaintiff  
V.  
SCHUYLER P. BARBEAU  
Defendant

CASE NO. CR15-391RAJ  
PETITION FOR REDRESS OF  
GRIEVANCES

COMES NOW, Schuyler P. Barbeau, on my own behalf, to petition this Court for a redress of grievances. I was appointed Walter Peale, a private attorney, off of the CJA panel, in April, 2016. He came in to see me the first time to introduce himself to me as my new counsel and to discuss a couple things about my case. The visit was very short, maybe less than 45 minutes. The next time Mr. Peale came to see me was also very short, to have me sign a speedy-trial waiver. During one of these first two visits, Mr. Peale explained to me that he had several State trial cases that were going to keep his schedule full through and until the end of June and possibly into July. He also had told me that he didn't have much experience with the area of Federal law on firearms. I told him that was alright because I had been studying it quite extensively and I would show him what I knew, and that we had plenty of time to get my case figured out. So, I waited patiently until the end of June and begun calling Mr. Peale. He told me the

1 trials were taking longer than expected and needed a few more  
2 weeks. After a few more weeks into July, I started calling again  
3 urgently requesting Mr. Peale to come see me because I had found  
4 some things in the law and had cases to show him. I also had a  
5 great number of questions building up and issues to discuss so  
6 that I could move forward in my legal research. I basically hit a  
7 roadblock in my research and needed counsel to work out a path in  
8 which I would pursue. Mr. Peale finally came in to visit in August  
9 for less than two hours. I was able to show him some of the  
10 research I was doing and explain some laws and cases I found. Mr.  
11 Peale told me that my analysis of the law was correct, but that he  
12 would need to read it all himself before he could say my legal  
13 theory in its whole was correct. I also told him during that  
14 meeting that I needed to see him at least once a week from then on  
15 till trial because I had a lot of questions about everything and  
16 there was going to be a great number of things to discuss, not just  
17 the law itself which is substantial and complex, but also all the  
18 rest of Federal criminal procedure, rules of evidence, jury  
19 selection and voir dire, and trial procedure. Mr. Peale told me  
20 that he would mostly be able to come in on weekends until his other  
21 trials were over. I tried to convey to him my sense of urgency  
22 since we were a month and a half past the time he said he would be  
23 available to me. I saw him next at the end of September, or maybe  
24 beginning of October, I believe, for another short visit, less than  
25 an hour and a half. We discussed a couple different things, but  
26 didn't really work on my case. During the meeting, while trying to  
27 display my sense of urgency, I told Mr. Peale again that I really  
28 needed to see him at least once a week until trial because we still

1 had a lot of work to do and pretrial motions to put together  
2 before the motion filing deadline. At this meeting, and maybe the  
3 August meeting, I asked Mr. Peale about filing several motions,  
4 but he would only ask me what they have to do with the facts of my  
5 case and then gave me a run-around excuse about ethics and his  
6 minimum obligations to me and the Court. This was unacceptable to  
7 me and frustrated me greatly because I was receiving inadequate,  
8 ineffective counsel that I have been needing for the last eleven  
9 months. At the end of this Sept./Oct. meeting, I reminded Mr.  
10 Peale of what he said during the previous meeting about needing to  
11 read the law for himself and him saying that my analysis of it  
12 being correct, to which he responded: yes. I asked him again what he  
13 thought about my legal theory and he said he thinks I have a valid  
14 argument. Then he had to leave. Now, at this point, my legal theory  
15 has to do with the laws not applying to my private activities and  
16 question the law itself and how it is applied to me, which are  
17 issues that MUST be raised PREtrial, and are part of a motion to  
18 dismiss that I have been waiting for, and have been wanting to  
19 draft together with Mr. Peale. These very important issues I want  
20 raise are what I have been asking Mr. Peale to help me raise in  
21 pretrial motions but is refusing. He also told me in that meeting,  
22 regarding the motions I want to file and issues I want to raise,  
23 are not things he has to do for me and that my case is really  
24 simple to him because he only has to deal with the facts of my case  
25 . The most important part of my case are the issues of the law  
26 which must be raised pre-trial. There was one more short meeting  
27 in October but I don't remember when, and we only went round and  
28 round on the issues I was having with him and his inadequate

1 counsel. Then I saw him there at the courthouse for ten minutes  
2 before my hearing to continue my trial date recently. I tried to  
3 raise my issues with him again about not getting visits and not  
4 getting any work done on my case, and not filing any of the motions  
5 I've asked him to file. Mr. Peale told me that "If you were to  
6 have paid me \$100,000, I'd be more inclined to do the things you  
7 ask." This was totally unacceptable to me. What he said tells me  
8 that he's only interested in the money, he doesn't care about my  
9 freedom, and that only the wealthy have access to adequate,  
10 effective, and vigorous representation. His statement to me was  
11 the last straw for me and after a couple weeks of thinking about  
12 it, and continuing to not get any counsel, I asked Mr. Peale by  
13 email to withdraw from my case. After a week, he responded that he  
14 would file a motion to withdraw on Dec. 1st which is the motion  
15 filing deadline. This is unacceptable to me because I need counsel  
16 now and are not getting any. I have been needing counsel for the  
17 last six months and have not been getting the counsel I need for  
18 the pre-trial issues I need to raise. I have asked him many times,  
19 including in emails, what his problem is and I only get no answer,  
20 or some excuse about health, other cases, or that he doesn't have  
21 to do anything I ask. I am at my wit's end with Mr. Peale and have  
22 no more patience to give him more chances to continuously let me  
23 down. I began communicating only by email in September to create  
24 a record of communication and because I was only able to reach Mr.  
25 Peale on the phone less than 10% of the time. At this time, he has  
26 filed no motions, he has not shown me any work that he's been  
27 working on, and has only said that he is working on my requests,  
28 but that was only after I asked him to withdraw from my case. It

1 appears that since I asked him to withdraw two weeks ago, NOW he  
2 wants to get to work because he doesn't want a bad mark on his  
3 career.

4 For redress, I would like this Court to remove Mr. Peale from  
5 my case as soon as possible, appoint a new and more effective  
6 counselor to my case, and continue my trial date a few months so  
7 the new counselor can learn my case and so we can begin the work  
8 that I was supposed to begin at least six months ago.

9 Dated the 23rd day of November, 2016.

10 Respectfully submitted,  
11 *Schuyler Barbeau*  
12 Schuyler P. Barbeau  
13 Petitioner  
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