



U.S. Department of Justice

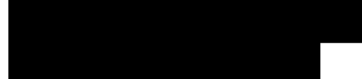
Office of Professional Responsibility

950 Pennsylvania Avenue, N.W., Suite 3266
Washington, DC 20530
(202) 514-3365

May 28, 2026

By Email

CREW



foia@citizensforethics.org

Re: OPR FOIA No. F24-00095 2nd Interim Response

Dear CREW:

This letter is in response to your April 24, 2024, Freedom of Information Act (FOIA) request to the Office of Professional Responsibility (OPR) seeking the following records from January 1, 1994 to the date this request is processed:

1. All records relating to former Assistant United States Attorney Terra Morehead (AUSA Morehead) at the Office of the United States Attorney for the District of Kansas (USAO Kansas), that pertain to proven or alleged violations by AUSA Morehead of any provisions of law or constitution, any provisions of the United States Attorney's Manual adopted by the Department of Justice, any ethical duties imposed upon AUSA Morehead in her capacity as a government prosecutor as set forth in the Kansas Rules Relating to Discipline of Attorneys, or any other professional misconduct.
2. All records relating to AUSA Morehead's conduct as a prosecutor for the State of Kansas or any political subdivisions thereof, that pertain to proven or alleged violations by Morehead of any provisions of law or constitution, any ethical duties imposed upon Morehead in her capacity as a government prosecutor as set forth in the Kansas Rules Relating to Discipline of Attorneys, or any other professional misconduct.
3. All records relating to any DOJ investigations, actions (including but not limited to case reassignments and disciplinary measures), or decisions not to take action, in regard to AUSA Morehead's conduct as an AUSA or prosecutor for the State of Kansas, including those relating to proven or alleged violations by AUSA Morehead of any provisions of law or constitution, any provisions of the United States Attorneys' Manual adopted by the Department of Justice, any ethical duties imposed upon AUSA Morehead in her capacity as a government prosecutor as set forth in the Kansas rules Relating to Discipline of Attorneys, or any other professional misconduct.

OPR received your request on April 25, 2024, and has assigned to it request number **F24-00095**. Please refer to that number in any correspondence pertaining to this matter.

For this 2nd interim response, OPR processed a total of 501 pages responsive to your request. Enclosed please find 24 pages of responsive records. Of the 24 pages, two pages (Bates-numbered F24-00095 00503 to 00504) are appropriate for release without excisions, and 22 pages (Bates-numbered F24-00095 00505 to 00526) are appropriate for release with excisions made pursuant to Exemptions 3, 6, and 7(C) of the FOIA, 5 U.S.C. § 552(b)(3), (b)(6), and (b)(7)(C). Exemption 3 protects from public disclosure matters that are specifically prohibited from release by statute; in this case, Rule 6(e) of the Federal Rules of Criminal Procedure protects information that would reveal matters occurring before the grand jury. Exemption 6 pertains to information the release of which would constitute a clearly unwarranted invasion of the personal privacy of third parties. Exemption 7(C) pertains to information compiled for law enforcement purposes which could reasonably be expected to constitute an unwarranted invasion of the personal privacy of third parties. Please be advised that we have considered the foreseeable harm standard when reviewing records and applying FOIA exemptions.

OPR determined that 221 pages (Bates-numbered F24-00095 00527 to 00747) contained information of interest to the Executive Office for U.S. Attorneys (EOUSA), Drug Enforcement Administration (DEA), and Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), and 229 pages (Bates-numbered F24-00095 00748 to 00976) contained information of interest to EOUSA, ATF, and the U.S. Marshals Service (USMS). OPR will send these pages for consult to EOUSA, DEA, ATF, and USMS pursuant to 28 C.F.R. § 16.4(d).

Because four pages (Bates-numbered F24-00095 00977 to 00980) originated with the Office of Inspector General (OIG), OPR will refer these pages to the OIG for processing and direct response to you.

Because 21 pages (Bates-numbered F24-00095 00981 to 01001) originated with the U.S. Attorney's Office, OPR will refer these pages to EOUSA for processing and direct response to you.

The remaining two pages of responsive records originated with the Criminal Division (CRM) (Bates-numbered F24-00095 01002 to 01003), so OPR will refer these pages to CRM for processing and direct response to you.

Although I am aware that your request is the subject of ongoing litigation and that appeals are not ordinarily acted on in such situations, I am required by statute and regulation to inform you of your right to file an administrative appeal with the Office of Information Policy.

Sincerely,

Margaret McCarty

Margaret McCarty
Senior Associate Counsel

Attachment: F24-00095 Processed Page Count Chart

cc: AUSA Sam Escher
U.S. Attorney's Office for the District of Columbia

Nikhel Sus
[REDACTED]

Lauren Bingham
[REDACTED]

Attachment to OPR's May 2026 Interim Response (F24-00095 Processed Page Count Chart)			
Monthly Interim Responses	Bates Nos.	Release in Full to CREW=RIF Release in Part to CREW=RIP Consult=C Referral=R Withheld in Full=WIF	No. of Pages Processed
April 2026	1-502	RIF=6 RIP=11 C=485 (EOUSA, DEA, ATF, USMS)	502
May 2026	503-1003	RIF=2 RIP=22 C=450 (EOUSA, DEA, ATF, USMS) R=27 (OIG, EOUSA, CRM)	501
		Total Processed	1003

Attorneys under the jurisdiction of the Department of Justice (DOJ) must report to their supervisors any "statement by a judge or magistrate indicating a belief that misconduct by a Department employee has occurred." United States Attorneys' Manual, . Whenever a judge or magistrate makes a finding that a DOJ attorney has engaged in misconduct, the attorney must immediately report the finding to the DOJ Office of Professional Responsibility "regardless whether the matter is regarded as serious or non-serious." Id. § 1-4.120(B). Needless to say, a court may do much damage to an attorney's career within DOJ.III.

§ 1-4.120(A)Matters of attorney discipline by their very nature often come to us outside the common adversarial context. I am mindful that no one has recorded opposition to Attorney English's request for relief in this case, and thus I proceed cautiously. The proper starting point is to consider the source of the district court's power to sanction Attorney English for noncompliance with pretrial discovery orders extending beyond the requirements of criminal rules and statutes. See Gonzales, 164 F.3d at 1291 (noting "Fed. R. Crim. P. 16 is inapplicable here because it does not require the government to make its witnesses available for defense interviews.").**A.**

Assuming the district court legitimately imposed such orders (a question not before the Court, see supra n.1), the court's ability to enforce those orders rests in its "inherent power." Whether exercised in a civil or criminal context, "the inherent powers of federal courts are those which are necessary to the exercise of all others." Roadway Express, Inc. v. Piper, 447 U.S. 752, 764, 65 L. Ed. 2d 488, 100 S. Ct. 2455 (1980). "Because inherent powers are shielded from direct democratic controls, they must be exercised with restraint and discretion." Id.

The extent of these powers must be delimited with care, for there is a danger of overreaching when one branch of the Government, without benefit of cooperation or correction from others, undertakes to define its own authority. In many instances the inherent powers of the courts may be controlled or overridden by statute or rule. Principles of deference counsel restraint in resorting to inherent power, and require its use to be a reasonable response to the problems and needs that provoke it.Degen v. United States, 517 U.S. 820, 823-24, 135 L. Ed. 2d 102, 116 S. Ct. 1777 (1996). "The conceded power of federal district courts to supervise the conduct of attorneys should not be used as a means to substantially alter federal criminal law practice." Grievance Committee v. Simels, 48 F.3d 640, 644 (2d Cir. 1995). A court must remain mindful that its inherent power "is limited by the necessity giving rise to its exercise." Degen, 517 U.S. at 829. "In short, the inherent power springs from the well of necessity, and sparingly so." Natural Gas Pipeline Co. v. Energy Gathering, Inc., 2 F.3d 1397, 1407 (5th Cir. 1993).

In this case, the district court entered its post judgment orders (1) after the district court had already reprimanded English for his conduct, (2) after Defendants had pled guilty and been sentenced, (3) after the New Mexico Supreme Court's Disciplinary Board had exonerated English, and (4) after the court announced at hearing that no further sanctions would issue. The district court's written orders serve no meaningful purpose other than to pour new salt into old wounds. In short, the district court's post-judgment orders sternly denouncing Attorney English's conduct were unnecessary at that stage of the proceedings and thus beyond the court's inherent power to issue.**B.**

I am well aware that this Court also disapproved of Attorney English's apparent {344 F.3d 1050} misconduct at the discovery stage. Gonzales, 164 F.3d at 1291-92. At that time, we suggested, among other things, "recommending disciplinary proceedings against the government attorneys involved." Id. at 1293. That is precisely what occurred, albeit on the complaint of defense counsel. Thereafter, for the first and only time in this case, an independent, impartial Disciplinary Board investigated the alleged misconduct with all the procedural safeguards necessary to ensure a fair decision. This Court should not lightly disregard the Disciplinary Board's findings and conclusions made after thorough inquiry where our prior decision was based on a limited record. 9 While not conclusively binding on a federal court, a state supreme court's determination in a disciplinary matter

"brings title deeds of high respect." Theard v. United States, 354 U.S. 278, 282, 1 L. Ed. 2d 1342, 77 S. Ct. 1274 (1957). Andrew L. Kaufmann, Judicial Ethics: The Less-Often Asked Questions, 64 Wash. L. Rev. 851, 864 (1989), provides the proper perspective:

Public criticism of a lawyer in an opinion in which the court does not undertake the job of fact-finding with all the procedural safeguards involved in a disciplinary proceeding may destroy or severely damage a lawyer's reputation. When the lawyer has no chance to defend, the mere mention of the fact of reference to disciplinary authorities is problematic, especially if accompanied by an unfavorable characterization of the lawyer's conduct. A court "that has the power but is unwilling to undertake the disciplinary process itself, either directly or through a master (or other body appointed by it), should be very cautious about specific comments it makes about discipline." Id. at 866-67.

The Brownell Firm, PC

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(b) (6)

*Also Admitted in MD

+Also Admitted in VA

^Also Admitted in NY

April 14, 2014

Sciortino, John
Office of Professional Responsibility
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530
John.Sciortino@usdoj.gov

SENT BY EMAIL AND U.S. MAIL

Re: Representation of Terra Morehead

Dear Mr. Sciortino:

Assistant U.S. Attorney (AUSA) Terra Morehead informed us that you are requesting confirmation of our representation of AUSA Morehead with respect to your office's current inquiry into allegations that AUSA Morehead engaged in professional misconduct. We also learned that you are requesting permission to communicate with AUSA Morehead directly.

We appreciate your requests. Please accept this letter as our confirmation that we represent AUSA Morehead in this matter and our permission for your office to communicate directly with AUSA Morehead. If you have any questions regarding this matter, please do not hesitate to contact us.

Sincerely,

(b) (6)

From: [Birney, William J \(OPR\)](#)
To: [Lyles, Shamelle \(OPR\)](#)
Cc: [Drouet, Suzanne \(OPR\)](#); [Ingersoll, Laura \(OPR\)](#)
Subject: Complaint Involving AUSA Terra Morehead, D. Kansas (from [REDACTED] Co-Defendant of [REDACTED])
Date: Tuesday, May 4, 2021 9:06:24 AM

Shamelle, I suggest that you treat this as a routine, matter-for-the-court complaint and send our standard letter to the complainant closing this matter. Thanks.

From: Ingersoll, Laura (OPR) [REDACTED]
Sent: Thursday, April 29, 2021 12:44 PM
To: Birney, William J (OPR) [REDACTED]
Subject: FW: New Complaint Involving AUSA Terra Morehead, D. Kansas (from [REDACTED] Co-Defendant of [REDACTED])

Bill –
The second complainee [REDACTED] was [REDACTED] defense attorney. Only five of the codefendants – including [REDACTED] and [REDACTED] were tried together.
I'm not seeing any *Brady* violation allegation; rather, a generalized complaint that his attorney didn't share discovery with him.
Am I missing something here?
Laura

From: Lyles, Shamelle (OPR) <[REDACTED]>
Sent: Thursday, April 29, 2021 9:50 AM
To: Birney, William J (OPR) [REDACTED]; Ingersoll, Laura (OPR) [REDACTED]
Cc: Robertson, Jacqueline T (OPR) [REDACTED]
Subject: New Complaint Involving AUSA Terra Morehead, D. Kansas (from [REDACTED] Co-Defendant of [REDACTED])

Hi Laura (and Bill),

The below complaint from M [REDACTED] was received by OPR via our online Complaint Intake Form in which [REDACTED] alleges *Brady* violations against AUSA Terra Morehead, D. Kansas. [REDACTED] is a co-defendant of [REDACTED] who appears in your new inquiry (#202100479) involving AUSA Morehead. As you know, there were 20+ co-defendants in [REDACTED] [REDACTED] Due to the newspaper article, this may be the [REDACTED]

I have assigned this new complaint as correspondence matter #202100554-M (assigned to me), but wanted to bring it to you and Bill's attention in the event that it should be merged with your pending inquiry or reviewed as a possible inquiry.

Shamelle

Shamelle N. Lyles

Program Analyst

Office of Professional Responsibility

U.S. Department of Justice

(b) (6), (b) (7)(C)

-----Original Message-----

From: no-reply@usdoj.gov <no-reply@usdoj.gov>

Sent: Wednesday, April 28, 2021 3:31 PM

To: OPR Intake Form <OPR.Intake.Form@usdoj.gov>

Subject: Form submission from: How to File a Complaint with the Office of Professional Responsibility

Submitted on: Wednesday, April 28, 2021 - 3:30pm EDT Submitted to:
Anonymous Submitted values are:

Name **(b) (6), (b) (7)(C)** seeking OPR's action (Complainant): Mr.

First: **(b) (6), (b) (7)(C)**

Middle:

Last: **(b) (6), (b) (7)(C)**

Suffix (if applicable):

Complainant Type: DOJ Attorney

Inmate/Detainee Number: **(b) (6), (b) (7)(C)**

Other:

Company/Organization:

Company address: **(b) (6), (b) (7)(C)**

City: **(b) (6), (b) (7)(C)**

State:

Zip: **(b) (6), (b) (7)(C)**

Complainant email address: **(b) (6), (b) (7)(C)** Complainant phone number:

Complainant fax number:

If you are filing this complaint as a legal or other representative of the Complainant, please provide the following information:

Name and title of the filer:

First:

Middle:

Last:

Suffix (if applicable):

Your preferred mailing address:

City:

State:

Zip:

Your email address:

Information about the DOJ Attorney or DOJ Law Enforcement Official You Are Complaining About (Subject)

Name of the person(s) you are complaining about (Subject): Ms.

First: TERRA

Middle:

Last: MOREHEAD

Suffix (if applicable):

Subject's Job Title: United States Attorney

Other:

Company/Organization:

Location of Subject's Office: DISTRICT OF KANSAS Does your complaint involve more than one person? Yes (If yes, please provide the following information of the additional subject.) Name of the person(s) of the second

subject: Mr.

First: (b) (6), (b) (7)(C)

Middle: (b) (6), (b) (7)(C)

Last: (b) (6), (b) (7)(C)

Suffix (if applicable):

Second Subject's Job Title: DOJ Attorney (Non-AUSA) Location of second subject's office: FEDERAL WESTERN DISTRICT OF MISSOURI

*Information about your complaint *

What are the actions, events, or allegations that you are reporting to OPR? (e.g., attorney misconduct, Whistleblower retaliation, Giglio/Brady violation, etc.): Attorney Misconduct When did the incident occur?: Thu, (b) (6), (b) (7)(C)

Please provide a brief summary of the complaint:

Issue #1- In my original indictment which I believe was formatted for previous leaders in my conspiracy the indictment stated that individuals in the "district of Kansas" were conspiring to break a federal law. So, to make a one size fits all conspiracy the indictment was just reworded to fit (b) (6), (b) (7)(C) case. A second indictment was filed that stated "...the District of Kansas and elsewhere" to include defendants that could be anywhere creating a vague location for defendants and changing specific wording to help include counts against defendants that were not originally included in the conspiracy. To help include (b) (6), (b) (7)(C) into the conspiracy the government did nothing more than include the word "and Elsewhere...." to create a vague location to fit any

defendant the government wanted to include and to change wording to try to fit any drug another dealer might deal. The problem with that is that it (b) (6), (b) (7)(C) o convict someone when there has been no evidence of any fact that participated in "the district of Kansas and elsewhere" in a conspiracy to possess or traffic "crack cocaine". (See References for first original indictment and then the second reworded indictment is included).

Issue #2- Another issue that caused me to receive my sentence was the use of Illegal wiretapping. The government obtained a warrant without the necessary requirements to wiretap (b) (6), (b) (7)(C) and others phone calls. The problem with the wiretapping is the government use bits of conversations to help persuade jurors that (b) (6), (b) (7)(C) was dealing drugs by taking conversations out of context and making them fit another situation that would satisfy Ms. Moorehead's agenda. The issue still did not address the jurisdiction being in the "District of Kansas" with my wiretapping. (Supreme court ruling US vs. Dadah 10th cir.)

Issue # 3a- Another issue that I had was in my originally discovery. I have never seen my discovery ever. I nor any of my codefendants have never received any evidentiary hearing or discovery. I was never given a discovery so that I could properly prepare for my case. When I asked my counsel for the discovery, he said I was not allowed to see it and my counsel told me that he did not even see my name in the originally discovery. He said he was unaware of where my name is mentioned in any of it. My defense counsel then signed an agreement that I would not look at my discovery or discuss it but he did that without my consent. He also volunteered a guilty plea without my consent. When I then tried to fire him for doing something without my consent I was denied. I have heard my defense attorney was even threatened if he showed me the discovery or anything else he would be next for prosecution. I am not sure what he was afraid of.

Issue# 3b- Another issue I had was that I was never allowed to see my discovery and when I started to question the evidence that was made against me, I has denied an evidentiary hearing. Trying to protect myself, I attempted to fire my attorney and was denied this request by the judge. The judge said he thought I was just having a miscommunication with my counsel and denied me my right to change counsel when I believed that my attorney was not acting in my best interest. I was then given a 23-page memo on why we could not have the evidentiary hearing.

Issue #4- We have an issue with jury instructions and with jury misconduct.

Issue #5- Corrupt local federal agents. The lead DEA agent in my case (b) (6), (b) (7)(C) has since been fired for beating a man until he was brain dead while using racial slurs. My other DEA agent is (b) (6), (b) (7)(C) who lied under oath and said he saw (b) (6), (b) (7)(C) give (b) (6), (b) (7)(C) brown paper bag that he felt contained money which he said he had witness from over 50 yards away through the tinted windows of a car. She was later released from

the case.

Issue #6- (b) (6), (b) (7)(C) another witness (b) (6), (b) (7)(C) trial. Contradicts all previous statements by stating in court that (b) (6), (b) (7)(C) gave (b) (6), (b) (7)(C) a brown bag containing 1/2 kilogram of cocaine. He directly contradicts his previous sworn statements that he had seen (b) (6), (b) (7)(C) provide a package containing cocaine but later recounting under oath changing his testimony. Mr. (b) (6), (b) (7)(C) changes specific people to fit a story line that would help convict (b) (6), (b) (7)(C) Mr. (b) (6), (b) (7)(C) only changes people in the recollection of events because he is recalling these events for Mr. Moorhead at (b) (6), (b) (7)(C) trial. Trying to convict him by altering his previous sworn statements to trying to make (b) (6), (b) (7)(C) look guilty by placing him at differently places and positions. I exchanged (b) (6), (b) (7)(C) test money (b) (6), (b) (7)(C) had a federal gun charge dismissed with would be equivalent to getting 5 to 10 years off a mandatory sentence. That was his gift from Ms. Moorehead for his scripted testimony.

Issue # 7- (b) (6), (b) (7)(C) originally (b) (6), (b) (7)(C) being the head of the conspiracy with a previous record of incarceration has the most to lose and gain by his testimony. 70% of all drugs attributed to (b) (6), (b) (7)(C) come from Mr. (b) (6), (b) (7)(C) testimony and the remainder from another witness at sentencing.

Originally (b) (6), (b) (7)(C) could not identify (b) (6), (b) (7)(C) by picture, and they were even put in (b) (6), (b) (7)(C) vehicle after being arrested and both men did not recognize each other on January 8, 2008. Then when (b) (6), (b) (7)(C) stood as a witness a year and a half later, he said he identifies (b) (6), (b) (7)(C) at 70% of all the transactions openly committing perjury but with total immunity given to him by the prosecutor, Terra Morehead for (b) (6), (b) (7)(C) to change his testimony to fit the Government's agenda to help ensure a conviction on (b) (6), (b) (7)(C) through fabricated testimony created by Terra Morehead and carried out in the scripted testimony of (b) (6), (b) (7)(C)

Issue # 8- Verdict form: The verdict form that was given at my trial contained the wording to include "crack cocaine" when I have never dealt crack cocaine. When I filed for my two points for the crack cocaine that was attributed to me at trial. The government stated I could not receive the two points because I did not have "crack cocaine" in my case, but there is "crack cocaine" mentioned in my verdict form and in count 1.

Issue # 9- Another Witness (b) (6), (b) (7)(C) was brought at sentencing to help attribute larger drug quantities to (b) (6), (b) (7)(C) In exchange for his testimony (b) (6), (b) (7)(C) who was already serving an 8-year sentence got two years off for his scripted testimony.

Issue #10- There was another issue with my being enhanced based off a gun possession. Except I have never had a gun. I was enhanced at sentencing for a gun that belong to my wife or the Government then tried to give me another gun enhancement for my codefendants gun when I proved I was out of the

country clearly far away from possessing the gun that my codefendant had.

Issue #11- (b) (6), (b) (7)(C) the trial not once did anyone ever say they bought drugs from (b) (6), (b) (7)(C) drug quantities are completely made up when he has never dealt drugs to anyone. He has no distribution on the entire case. How could someone who is a big drug dealer such as the accusation against (b) (6), (b) (7)(C) not clearly be given a concrete drug quantity. The drug quantities varied at trial from 150 kilograms to 900 kilograms but not one witness bought drugs from (b) (6), (b) (7)(C) and then 50 grams or more of "crack cocaine" is attributed to (b) (6), (b) (7)(C) at sentencing with absolutely no proof.

Certification and Signature (Enter your initials here to certify and sign this form.): (b) (6), (b) (7)(C)

The results of this submission may be viewed at:
<https://www.justice.gov/node/1019501/submission/16088756>

"Complaint"

IF I had the grand jury testimony testimony pertaining to me it would show that I would be vindicated on this drug conspiracy Im serving 360 months for. I sent the inspector General a packet about a wiretap application that I would as that you get those materials forwarded. Terra Morehead Assistant district Attorney of Kansas prosecuted me on this case, she has been found guilty of misconduct in the last 24 years in the state system in the Federal System I have all the proof that the evidence was manipulated to convict me in trial, but I you care I will send it, because the coast of postage. The case number of this case pertaining to me is NO: (b) (6), (b) (7)(C) I have any evidence you need to support any claim I bring forward.

Respectfully Submitted

(b) (6), (b) (7)(C)

ACCFPP P.O. Box 4000
Springfield MO 65801

Supporting Facts

As an initial matter, it is necessary that Petitioner point out the fact that the Government was aware that the November 26, 2007, phone call between Petitioner and co-defendant (b) (6), (b) (7)(C) (Count Thirty-Four), occurred in the State of Missouri, and, thus seeking an indictment for this conduct in the State of Kansas is prosecutorial misconduct. This prosecutorial misconduct was further exacerbated by the Government withholding this fact from the Grand Jury when hearing this case. Notwithstanding the misconduct, the Government misused the Grand Jury for improper trial preparation under Count Thirty-Four of the Superseding Indictment, in preparation of Count One (Conspiracy Count).

The above claim of prosecutorial misconduct is supported by the record wherein ATF agent (b) (6), (b) (7)(C) (Agent (b) (6), (b) (7)(C)) prepared a "Report of Investigation," which show that on (b) (6), (b) (7)(C) at 12:19 p.m. (b) (6), (b) (7)(C) placed an outgoing call #6844 to (b) (6), (b) (7)(C) which is known to be utilized by (b) (6), (b) (7)(C) later identified as (b) (6), (b) (7)(C)..." [See Attachment, Defendant's Exhibit A, at GR1 1195, paragraph 10]. This intercepted call was made only minutes after Agent (b) (6), (b) (7)(C) located (b) (6), (b) (7)(C) at "Watson's Barber Shop ... Prospect, Kansas City, Missouri." Id. That being so, prior to seeking Superseding Indictment of this case, the Government was aware that it was "misusing" the Grand Jury by submitting a summary of the arrest of (b) (6), (b) (7)(C) - i.e., "knowingly and intentionally used a communication facility, a cellular phone in committing, causing, and facilitating the offense set forth in Count One..., in which to obtain the Superseding Indictment under Count One. (b) (3) (A), (b) (6), (b) (7)(C)

(b) (6), (b) (7)(C) although aware that the cellular call took place in the State of Missouri. It is Petitioner's assertion that this constituted prosecutorial misconduct and was an improper use of the Grand Jury. *** It is worth pointing out that Petitioner was acquitted of Count Thirty-Four upon the Government failing to prove venue as to this Count.

As will be more fully discussed below, the Government used the Grand Jury to bolster its case against Petitioner by seeking the Superseding Indictment against [h]im under Count Thirty-Four, but, submitted altered evidence, among other things at trial in which to convict Petitioner of Count One of the Superseding Indictment.

I was watching Fox, and other news stations, and I was hearing about this "FISA" warrant, and the misconduct in this memo that your office is reviewing. I have an issue that is even more corrupt. ~~Terra Morehead~~ an Assistant U.S. Attorney, that didn't even have an authorization from the Attorney General before Judge ~~Carlos Murguia~~ signed the wiretap order to tap Target Phone 3, on August 10, from looking at the time stamp on the Authorization for Intercept from the Attorney General, the time stamp is August 10, 2007, 6:42 PM. The Application prepared under oath by Terra Morehead, time stamp is August 10, 2007, 4:40 PM. The Affidavit by Agent ~~(b) (6), (b) (7)(C)~~ and Judge Murguia also has a time stamp of August 10, 2007, 4:40 PM. Washington D.C. is in the Eastern Time Zone, so Kansas City is 1 hour behind. The Fax was therefore recieved at 5:42 PM, and Target Phone 3 on August 10, 2007, at approximately 7:30 PM began surveillance. On ~~(b) (6), (b) (7)(C)~~ at 4:13 PM, Terra Morehead filed a fraudulent motion to attach, using the words **inadvertently omitted**, in the face of the government's motion to one: avoid a suppression, and Judge Murguia still accepted the untimely order after reviewing the time stamp on the Attorney General's authorization, being complicit to the government's dishonest motion, portraying like it was an honest mistake when the government was aware that authorization wasn't recieved until after the application was recieved by Judge Murguia. There is a case that is identical: United States v Reyna, 218 F. 3d 1108, 1110 (9th 2000). Most importantly, a Supreme Court case: "United States V. Giordano" 416 U.S. 505, 515, 40 L Ed 2d 341, 84 S. Ct 1820 (1974). Since Terra Morehead has been accused as recently as ~~(b) (6), (b) (7)(C)~~ of misconduct in ~~(b) (6), (b) (7)(C)~~ ~~(b) (6), (b) (7)(C)~~ dist. LEXIS 199570 ~~(b) (6), (b) (7)(C)~~ This case with no authorization to even tap Target Phone 3 before submitting the application to a judge should be reviewed, and Mrs. Morehead should be held accountable. This is case no: ~~(b) (6), (b) (7)(C)~~ The District of Kansas, 500 State Avenue, Kansas City, Kansas 66101, Robert J. Dole United States Courthouse.

Respectfully Submitted,

~~(b) (6), (b) (7)(C)~~

RE: President Donald Trump

I was watching Fox, and other news stations, and I was hearing about this "FISA" warrant, and the misconduct in this memo that your office is reviewing. I have an issue that is even more corrupt. Terra Morehead, an Assistant U.S. Attorney, that didn't even have an authorization from the Attorney General before Judge Carlos Murguia signed the wiretap order to tap Target Phone 3, on August 10, from looking at the time stamp on the Authorization for Intercept from the Attorney General, the time stamp is August 10, 2007, 6:42 PM. The Application prepared under oath by Terra Morehead, time stamp is August 10, 2007, 4:40 PM. The Affidavit by Agent (b) (6), (b) (7)(C) and Judge Murguia also has a time stamp of August 10, 2007, 4:40 PM. Washington D.C. is in the Eastern Time Zone, so Kansas City is 1 hour behind. The Fax was therefore recieved at 5:42 PM, and Target Phone 3 on August 10, 2007, at approximately 7:30 PM began surveillance. On (b) (6), (b) (7)(C) at 4:13 PM, Terra Morehead filed a fraudulent motion to attach, using the words **inadvertently omitted**, in the face of the government's motion to one: avoid a suppression, and Judge Murguia still accepted the untimely order after reviewing the time stamp on the Attorney General's authorization, being complicit to the government's dishonest motion, portraying like it was an honest mistake when the government was aware that authorization wasn't recieved until after the application was recieved by Judge Murguia. There is a case that is identical: United States v. Revna, 218 F. 3d 1108 1110 (9th 2000). Most importantly, a Supreme Court case: (b) (6), (b) (7)(C) 416 U.S. 505, 515, 40 L Ed 2d 341, 84 S. Ct 1820 (1974). Since Terra Morehead has been accused as recently as (b) (6), (b) (7)(C) of misconduct in United States v. (b) (6), (b) (7)(C) Dist. LEXIS 199570 (b) (6), (b) (7)(C) This case with no authorization to even tap Target Phone 3 before submitting the application to a judge should be reviewed, and Mrs. Morehead should be held accountable. This is case no: (b) (6), (b) (7)(C) The District of Kansas, 500 State Avenue, Kansas City, Kansas 66101, Robert J. Dole United States Courthouse.

Respectfully Submitted,

(b) (6), (b) (7)(C)

RE: President Donald Trump

Robin C. Ashton
Counsel
U.S. Department of Justice
Office of Professional Responsibility
950 Pennsylvania Ave., NW Suite 3266
Washington, DC. 20530

(b) (6), (b) (7)(C)

FMCFP P.O. Box 4000
Springfield, MO. 65801

RE: **(b) (6), (b) (7)(C)**

Case No. **(b) (6), (b) (7)(C)**

Court of Appeals Doc No. **(b) (6), (b) (7)(C)**

Dear Mr. Ashton,

I am filing a complaint that my case needs reviewing to show I was only convicted through false testimony during pre-trial, trial, sentencing and even my appeal because the trial court guided and allowed the following activity. The U.S. Department of Justice (DOJ) Office of Professional Responsibility (OPR) is responsible for investigating allegations of misconduct against DOJ attorneys that relate to exercise of their authority to investigate, litigate or provide legal advice, as well as allegations of misconduct against DOJ law enforcement personnel that relate to allegations of misconduct within jurisdiction of OPR. I believe the DOJ doesn't want an innocent individual to serve 30 years for a conspiracy that the investigation nor discovery says he's guilty of.

Sincerely,

(b) (6), (b) (7)(C)

MCFP P.O. Box 4000
Springfield, MO. 65801

Raymond J. Moore
Federal Public Defender
Warren R. Williamson
Chief, Trial Division
Jill M. Wichlens
Chief, Appellate Division
Virginia L. Grady
Senior Litigator

Office of the
FEDERAL PUBLIC DEFENDER
Districts of Colorado and Wyoming

633 17th Street, Suite 1000
Denver, CO 80202
Phone: (303) 294-7002
Fax: (303) 294-1192

September 22, 2011

(b) (6), (b) (7)(C)

Dear **(b) (6), (b) (7)(C)**

Bad news, I'm sorry to say. The court denied the petition for rehearing. They changed the opinion somewhat, but they did not change the result. **And they did not call Terra Morehead on her misrepresentations of the record.** I am enclosing a copy of the new opinion. **Needless to say, I am disappointed.**

Our next step is to file a petition for certiorari, which is a petition asking the Supreme Court of the United States to review your case. Such petitions are almost always denied, but we have nothing to lose by trying. The petition is due **(b) (6), (b) (7)(C)** and I will of course send you a copy of what I file. If the petition is denied, you would then have one year from the date of the denial of the petition to file a § 2255 motion back in the district court if you choose to do so. We need to wait to see what happens with the petition for certiorari first though.

Sincerely,

(b) (6), (b) (7)(C)

(b) (6), (b) (7)(C)

Assistant Federal Public Defender

enc.

(b) (6), (b) (7)(C)

Office of Professional Responsibility
950 Pennsylvania Avenue NW Room 3266
Washington, DC 20535-0001

Dear Office of Professional Responsibility:

This is in response to your letter dated March 28, 2018. I am not merely some guilty man hoping to escape the consequences of his crime. I have proof of my innocence from this conspiracy out of the State of Kansas and I can send it all! My prosecutor, Ms. Morehead, was accused of witness intimidation and prosecutorial misconduct in 1994 when, as Wyandotte County Assistant Prosecutor, she prosecuted (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) in a double homicide. Due to Ms. Morehead's misconduct, (b) (6), (b) (7)(C) a seventeen year old, black male, lost 23 years of his life locked up in prison for a crime he did not commit. Eventually (b) (6), (b) (7)(C) was exonerated when the current Wyandotta Prosecutor dropped all charges. (b) (6), (b) (7)(C) was released from prison on Oct. 13, 2017, as a 40 year old man.

The government's only "evidence" against me in this case, are the statements and testimonies claiming it was my voice on seven phone calls. However, during the investigation, the government's position was that the seven phone calls were made by someone else entirely and had actual evidence to support this.

During the Indictment pre-trial, I had one particular call, count 34, which I was acquitted of. At trial the government played six more calls that were attributed to me, claiming it was my voice on the calls, though no evidence or documents were given as proof for such claims.

The evidence the court used to convict me of conspiracy was count 34, using a cellular phone to commit count 1, but I was acquitted of count 34 because of venue 843(b).

When my attorney, (b) (6) put evidence in as

exhibits, proving it wasn't my voice on the calls, he was told by the government and the court, during a side-bar, not to show the evidence as exhibits. This is what my attorney told me personally. This is undoubtedly the reason the government doesn't want anyone to see the grand jury testimony.

While I have not yet suffered the 23 years of injustice that (b) (6), (b) (7)(C) did at the hands of Ms. Morehead's misconduct, I am well on my way with almost 11 years of my life lost, paying for someone else's crime of conspiracy; a conspiracy the government knows I was acquitted of, according to (b) (6), (b) (7)(C) grand jury testimony.

I hear our President on the news, complaining about our law enforcement and judicial system and can't help but look at my own situation and agree. I really have been unjustly convicted, though because of who I am, it doesn't seem to matter.

Sadly I am not the only one who must bear the burden of this injustice, as I am a family man whose wife, children and even grandchildren must suffer my absence.

I have all the evidence I need to prove my innocence, all but the grand jury testimony of TFO Eric Jones.

Prosecutor Ms. Morehead is known for witness intimidation and judicial misconduct, though this fact seems to be ignored in Kansas... but what about Washington?

Please help me finally get justice. Please allow me to send all the evidence.

Sincerely,

(b) (6), (b) (7)(C)

CC... Jacqueline Robertson

My name is (b) (6), (b) (7)(C) I have been incarcerated illegally and unfairly under Terra Morehead, Agent (b) (6), (b) (7)(C) TFO (b) (6), (b) (7)(C) conspired to convict me, case no: (b) (6), (b) (7)(C) I have proof. I even have my appeal lawyer professionally saying Terra Morehead lied at my oral argument on (b) (6), (b) (7)(C) I was indicted on (b) (6), (b) (7)(C) where the government testified I made one call on (b) (6), (b) (7)(C) ordering drugs from my co-defendant (b) (6), (b) (7)(C) who's phone was tapped, which was target phone #4 which the call was fabricated with words switched. Once I went to trial the government played calls from target phone #3 saying it was my voice but the discovery contradicts that theory because the governments wiretap documents oathly say another individual was the user of the phone that called target phone 3 and that it was not me. It was (b) (6), (b) (7)(C) as the user of (b) (6), (b) (7)(C) if I didn't have proof I wouldn't be writing you. I have my discovery now and it tells it all. I have an evidence packet I created and want to send you.

When I was acquitted of count 34 Kansas really fairly lost jurisdiction and venue of me, but Terra Morehead is so conviction thirsty the case held against me because of the blind eye of the court also. If you look at the grand jury testimony pertaining to me you will see I shouldn't even be in prison under Kansas case because I am from Missouri and the only way I have a case is because the

(2)

government put my name on phone calls after they already had names on the same calls through investigation and discovery. This case is pretty corrupt and I just witnessed Terra Moreheads patterns from 1994 on the (b) (6), (b) (7)(C) case. She has an all means necessary attitude and I am serving 360 months because of that type of behavior.

(b) (6), (b) (7)(C)

March 24, 2018

Office of Professional Responsibility
950 NW, Room 3266
Washington, DC 20535-0001

I would like to send you a packet if

(b) (6), (b) (7)(C)

1 comfortable in walking away from it.

2 THE COURT: Here is --

3 (b) (6), (b) (7)(C) I didn't mean to get into
4 stuff that we hadn't gone into before. I don't even
5 know what's going on half the time.

6 THE COURT: Now, that's not true.

7 MS. MOREHEAD: It was obviously activity
8 that was outside of the conspiracy, so --

9 THE COURT: But here is why the question
10 was problematic, because you asked him -- you
11 basically said, and so until you arrested him, you
12 had no idea that that person on there was (b) (6), (b) (7)(C)

13 (b) (6), (b) (7)(C) Well, obviously, you know the answer to
14 that actually is, no, you're not right. We didn't
15 just go arrest somebody and hope it turned out to be
16 the person on the phone calls. They had some reason
17 to think it was (b) (6), (b) (7)(C) What your question really
18 was was about recognizing the guy's voice. That
19 question is a different question than, you had no
20 idea that that person on those calls was (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C) because they obviously did at some point
22 have an idea that's who it was because they went and
23 arrested him. When you ask the question the way you
24 did, that invites him to say, here is all the reasons
25 I thought it was (b) (6), (b) (7)(C) but when I talked to him,

REBECCA S. RYDER, CCR, RMR
UNITED STATES COURT REPORTER
913-551-5645

(b) (6), (b) (7)(C)

U.S. Medical Center for Federal Prisoners
P.O. Box 4000
Springfield, MO 65801

U.S. Department of Justice
Office of Professional Responsibility
950 Pennsylvania Avenue, NW Suite 3266
Washington, DC 20530-0001

Please be advised that I wish to file a *strong* disciplinary complaint against AUSA Terra Morehead. Please review the following inclusive of exhibits, fully investigate and be so kind as to report your findings to me.

This complaint relates to my criminal conviction in the U.S. District Court of Kansas, (Kansas City Division) Case No: **(b) (6), (b) (7)(C)**

On **(b) (6), (b) (7)(C)** at 4:40 PM, Assistant United States Attorney Terra Morehead brought an application for a wiretap order to the United States District Court, for the District of Kansas, Judge Carlos Murgia. The application states at 4:

"Attached to this application are copies of the Attorney General's order of special designation, and Memorandum of Authorization approving this application." See: Exhibit A at 4.

Despite her reference, no authorization was attached. Obviously, Terra Morehead did not tell Judge Murgia that the written authorization was not attached, nor obtained by her before she submitted her application to him. Judge Murgia signed the order, approving her unauthorized application at 4:40 PM on that day. See: Exhibit B.

The Government commenced the wiretap within minutes of Judge Murgia signing her order. The following Tuesday afternoon, on **(b) (6), (b) (7)(C)** at 4:13 PM, AUSA Terra Morehead submitted the authorization memorandum to Judge Murgia. In her memorandum, she then attaches the authorization memorandum from OED Staff Attorney, obtained well after Judge Murgia issued the order authorizing the wiretap. She claims in her memorandum submitted **(b) (6), (b) (7)(C)** that she 'inadvertently omitted' the Memorandum of Authorization when she originally submitted it on **(b) (6), (b) (7)(C)**. See Exhibit C

As clearly shown by the electronic date and time stamp¹ on the top of the U.S. Department of Justice, Criminal Division Authorization Memorandum, the document was not sent to Ms. Morehead until 6:42 PM on (b) (6), (b) (7)(C). See: Exhibit D.

Under Title III of the Omnibus Crime Control and Safe Streets Act of 1968, 18 USC §2510 et seq., it is tantamount that the government (Ms. Morehead) obtain the required authorization from the Attorney General or designee 'prior' to making a written application to the Courts. Failure to secure approval of the Attorney General or designee 'prior' to making the application for judicial authority to wiretap renders the Court's authority invalid and the interception of communications pursuant to that authority unlawful within the meaning of 18 USC §2518 (10)a(i)².

AUSA Morehead has an ethical duty to follow the state and federal statutes along with rules of court according to the Ethical Standards and Principles of Federal Prosecutors, Ethical Standards for Attorneys for the Government 28 USC §530B et seq., and the Kansas Rules of Professional Conduct. It is obvious AUSA Morehead did not have the required OED Staff Attorney Authorization (Exhibit D) prior to submitting her application to the Court to obtain the wiretap related to my criminal case, yet she still avered in her application that she did, (Exhibit A at 4), deceiving Judge Murgia in order to obtain the wiretap order on that day. Then some '4' days later, after obtaining the Attorney General's Authorization, again deceiving the Court, claiming to have 'inadvertently omitted' said (Exhibit C) '4' days previously. Her actions were clearly in bad faith, and her actions should not go unnoticed.

Please fully investigate this claim, and take the necessary corrective action, in the hopes that she will be stopped from future, extreme ethical violations and abuses of authority.

Respectfully Submitted,

(b) (6), (b) (7)(C)

1. Placed on the document by the facimile machine.

2. See: United States v Renya, 218 F. 3d 1108 (9th Cir 2000) quoting United States v Giordano, 416 U.S. 505, 514, 40 L. Ed 2d 341, 94 S. Ct. 1820 (1974), United States v Chavez, 416 U.S. 562, 574-75, 40 L. Ed 380, 94 S. Ct. 1849 (1974).

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

(b) (6), (b) (7)(C)

Movant,

v.

UNITED STATES OF AMERICA,

Respondant.

(b) (6), (b) (7)(C)

Motion for Appointment of Counsel

COMES NOW, (herein Movant), appearing pro se, directing the Court to appoint counsel.

Need for Counsel

In the interests of justice, this case needs an attorney to proceed with the appeal on my behalf. For example, the government's response [1811], the government relates its false motion to a technical filing error, when in fact the government didn't have the authorization at 4:40 pm, on Friday, (b) (6), (b) (7)(C), from the Attorney General before Judge Murguia issued the wiretap order. The authorization didn't arrive through fax until 6:42 pm on Friday, (b) (6), (b) (7)(C). Then comes the government, on Tuesday, (b) (6), (b) (7)(C), manipulating the record by using the words "inadvertently omitted" (false document) to avoid a suppression, see document 1807. So, not being aware of the grounds of the motion with an incompetent wiretap attorney gives the Court jurisdiction to entertain the motion. The government has been exposed lately for misconduct in the (b) (6), (b) (7)(C) case, in the state of Kansas, and (b) (6), (b) (7)(C) dismissal for misconduct, and this issue is mirror to the United States v. Reyna, 218 F. ed 1108 (9th Cir. 2000) with a longer delay in time and days, but the government in this case filed a false motion to deceive Counsel. This is why this matter is dangerous to be approached pro se, because the level of accountability expected from the government, see Exhibits A, C, D, H, and X...

For these reasons, Movant needs an attorney to secure the integrity of the process that will not take advantage of pro se because of incarceration. Executed this _____ day of January, 2018.

Respectfully Submitted,

(b) (6), (b) (7)(C)

MCFP-Springfield
P.O. Box 4000
Springfield, MO 65801