

FOR THE SOUTHERN DISTRICT OF NEW YORK

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2021 NOV 22 PM 2:58

CIVIL NO. 1:00-CV-8383

CRIMINAL NO. 93-CR-181 (PKC)

EL SAYYID NOSAIR,

PETITIONER,

V.

UNITED STATES OF AMERICA,

RESPONDENT.

*The request for counsel is denied
The facts of Mr. Nosair's case*

CIVIL NO. 1:00-CV-8383

MOTION FOR APPOINTMENT
OF COUNSEL

*are straightforward, and he
has done a good job of settling
them out*

TO THE HONORABLE JUDGE OF THIS COURT.

*The government may
respond no later than
January 7; Mr. Nosair*

COMES NOW, THE PETITIONER EL SAYYID NOSAIR, PRO SE AND RESPECTFULLY

MOVES THIS COURT FOR AN ORDER APPOINTING COUNSEL TO REPRESENT HIM IN

THIS CASE. IN SUPPORT OF THIS MOTION, PETITIONER STATES:

*may reply no later than
January 28, 2022*

1. PETITIONER IS UNABLE TO AFFORD COUNSEL.

November 23, 2021

SO ORDERED

2. PETITIONER'S IMPRISONMENT IS GREATLY LIMITING HIS ABILITY TO LITIGATE:

A. USR BIG SANDY IS STILL UNDER MODIFIED OPERATIONS UNDER SUPERVISOR JUDGE

B. ALSO, BESIDE THE LIMITED LEGAL RESOURCES AT USR BIG SANDY, THIS MODIFIED OPERATIONS STATUS IS LIMITING PETITIONER GREATLY FROM DOING HIS LEGAL RESEARCH AND WORK;

C. WHILE THE RESPONDENT (THE GOVERNMENT) ALREADY HAD FILED ITS 'OPPOSITION...' IN COURT ON NOVEMBER 5, 2021, PETITIONER JUST RECEIVED ITS COPY ON NOVEMBER 15, 2021 (TEN DAYS LATER), WHICH PUTS PETITIONER IN A VERY SHORT TIME FOR RESPONDING TO THE GOVERNMENT. ALSO PETITIONER DID NOT RECEIVE UNTIL TODAY FROM THE COURT'S CLERK OFFICE A COPY OF THE COURT'S ORDER DATED OCTOBER 6, 2021.

3. PETITIONER DOES NOT HAVE FULL COPIES OF THE TRIAL TRANSCRIPTS, NOR COPIES OF HIS APPEAL, NOR FULL COPIES OF HIS INDICTMENT AND THE SENTENCE AS WELL AS THE "PSR", THE PRESENTENCE INVESTIGATION REPORT, IN ORDER TO RESPOND TO THE GOVERNMENT'S OPPOSITION;


1

⊗ I JUST LEARNED ABOUT IT AFTER READING THE GOVERNMENT'S 'OPPOSITION...' RESPONSE!

4. IN THIS DISTRICT COURT, IN UNITED STATES OF AMERICA, V. ANDREW RAMSAY, 2021 U.S. DIST. LEXIS 89741, 96-CV-1098 (JSR), MAY 11, 2021, FILED. RAMSAY WAS CONVICTED OF MURDER IN AID OF RACKETEERING, AND THE COURT IMPOSED THE SENTENCE OF LIFE IMPRISONMENT. IN THIS COURT, RAMSAY FILED A MOTION FOR SENTENC REDUCTION, FOR COMPASSIONATE RELEASE UNDER EXTRAORDINARY AND COMPELING REASONS, 18 U.S.C. § 3553(a)(1), AND HIS MOTION WAS GRANTED BY JUDGE JED S. RAKOFF, U.S.D.J., ON MAY 11, 2021.

PETITIONER HERE WAS ALSO SENTENCED, SIMILAR TO RAMSAY, TO LIFE IMPRISONMENT, FOR MURDER IN AID OF RACKETEERING. PETITIONER, RESPECTFULLY, REQUEST HIM GRANT TO APPOINT OF COUNSEL SO HE CAN FAIRLY RESPOND TO THE GOVERNMENT, AND BECAUSE HE HAD NINE LONG MONTHS TRIAL, DURING 1995, WHICH ^{IS} THE GOVERNMENT'S RESPONSE IS MIXING PETITIONER'S CONVICTION WITH HIS CO-DEFENDANTS. 5. PETITIONER, RESPECTFULLY, REQUESTS THAT THIS COURT APPOINTS HIS TRIAL LAWYER ANDREW PATEL, WHO HAS FAMILIARITY IN THE CASE, THAT WILL SAVE LOTS OF MONEY AND TIME ON THE COURT'S PART. FOR THE CASE WAS LONG AND COMPLEX, AND PATEL IS FAMILIAR WITH THE CASE;

WHEREFORE, PETITIONER, REPECTFULLY, REQUESTS, THAT THE COURT GRANTS HIS MOTION, AND APPOINT MR. PATEL AS COUNSEL, RESPECTFULLY SUBMITTED, DATE: 11-16-2021



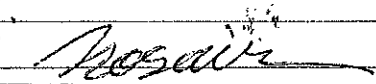
EL SAYYID NOSAIR, PROSE,
REG. # 35074-054
USP. BIG SANDY, P.O. BOX 2068
INEZ, KY. 41224

DECLARATION:

I, EL SAYYID NOSAIR, PRO SE, HEREBY DECLARES UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Date: 11-16-2021

Signature /



EL SAYYID NOSAIR

DECLARATION OF SERVICE

I, EL SAYYID NOSAIR, PRO SE, Reg # 35074-054, at USP Big Sandy, P.O. Box 2068, Inez, KY 41224, declare under penalty of perjury that on 11-16-2021, I mailed out, with paid USPS First Class stamps, by placing 'Motion for Appointment of Counsel' copies, in the internal mailing system provided to inmates at USP Big Sandy to the following name and address:

Mr. DAMIAN WILLIAMS, US Attorney
by: Michael Lockard, AUSA
US Attorney's Office, SDNY
One Saint Andrew Plaza,
New York, N.Y. 10007

Executed on: 11-16-2021

Respectfully Submitted

Nosair

EL SAYYID NOSAIR, PRO SE
Reg # 35074-054
USP Big Sandy
PO Box 2068
Inez, KY 41224

CERTIFICATE OF SERVICE

I HEREBY CERTIFY THAT A TRUE AND CORRECT COPY OF 'MOTION FOR APPOINTMENT OF COUNSEL' WAS SERVED UPON THE CLERK OF THE COURT ON THIS NOVEMBER 16, 2021, BY PLACING ~~THE~~ SAID SAME IN THE INTERNAL MAILING SYSTEM PROVIDED TO INMATES AT U.S.P. BIG SANDY, PROPER POSTAGE ATTACHED THERETO.

DATE: 11-16-2021

BY CERTIFIED LEGAL USPS MAIL:

TRACKING # 70171070 00001 8754 42B2

Respectfully Submitted

Nosair

ELSAYYID NOSAIR, PRO SE
Reg. # 35074-054
USP - Big Sandy,
P.O. Box 2068
Inez, KY 41224

Date: 11-16-2021

To: Clerk of the Court, Pro Se Office
US District Court for the
Southern District of New York
500 Pearl Street
New York, NY 10007-1312

From: El Sayyid Nosair, Reg. # 35074-054
USP Big Sandy, PO Box 2068, Inez, KY 41224

Re: Motion For Appointment of Counsel

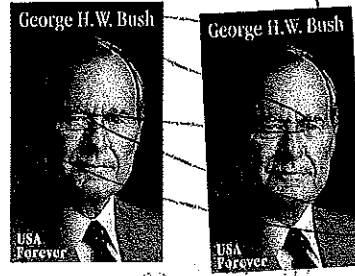
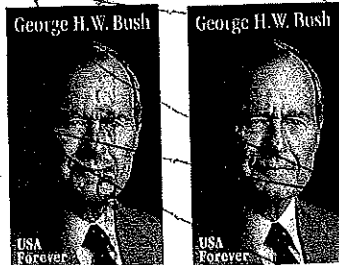
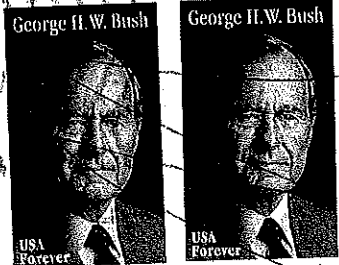
Dear Sir/Madam,

Greetings. Enclosed is a copy of 'Motion For Appointment of Counsel'. Also, enclosed copies of 'Certificate of Service' and 'Declaration of Service'. Thanks,

Respectfully,

Nosair

El Sayyid Nosair



3301/4-004
Clerk Of Court
500 Pearl St.
US Courthouse/Rm: 120
NEW YORK, NY 10007-1312
United States

**COPIES
SANDY**

For Mr

CERTIFIED LEGAL MAIL

10007-131259

INMATE NAME: EL SAYYID NOSAIR
REGISTER # 35074-054
UNITED STATES PENITENTIARY, BIG SANDY
P.O. BOX 2068
INEZ, KY. 41224

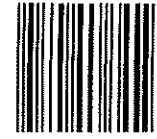
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UNITED STATES PENITENTIARY BIG SANDY

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If the writer raises a question over jurisdiction of this facility, you may wish to return for clarification. If writer encloses correspondence to another addressee, please return. DATE: