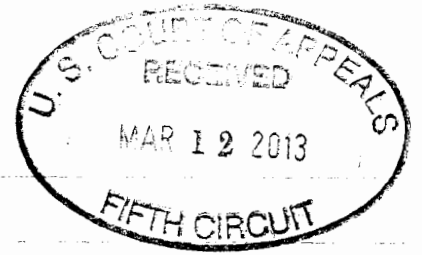


MARCH 4, 2013

5<sup>TH</sup> CIRCUIT COURT OF APPEALS



RE: UNITED STATES V. ROBERT ALLEN STANFORD  
APPEAL 12-20411

TO: JUDGES OF THE 5<sup>TH</sup> CIRCUIT

My name is ROBERT ALLEN STANFORD, an inmate at USP Coleman 2. My inmate number is 35017183. I apologize for writing to you in such a crude manner, but I am currently being held in the SHU. The conditions are severe, and your ability to communicate is extremely restricted. I have been in the SHU since January 30, 2013. I have not been given a reason why I was placed here other than I am under "investigation", nothing more. I know of no BOP rules I have violated.

The SEC filed suit against certain Stanford Companies alleging Civil violations in Dallas federal district court. On February 17, 2009 Judge Godbey appointed a Receiver to seize every asset, personal or corporate that I owned, including every bank account and all my personal possessions leaving me with the clothes on my back and \$300 in my wallet. This Receiver employed 250 high priced attorneys and 70 accountants to comb through every minute piece of my companies' records available in the United States.

Judge Godbey ordered that ALL CIVIL DISCOVERY be shared with the DOJ, FBI, IRS, Postal Inspector and any other law enforcement agency seeking such. The amount paid these private lawyers and accountants by the Receiver in the CIVIL action well exceeds \$100,000,000.00 (ONE HUNDRED MILLION DOLLARS).

All paid from my personal and corporate seized assets. The amount of money and resources allocated for my defense under the CJA was but a tiny fraction of the VAST amount of money spent and unlimited resources available to the government for their prosecution.

I was indicted in Houston on June 18, 2009, four months AFTER the SEC Dallas CIVIL action. I surrendered immediately to the same FBI agents who served me the CIVIL SEC suit. I was brought before Judge Stacy on June 25, 2009 for a 8 hour bail hearing at which time Pre-Trial Services recommended my bail be granted. Judge Stacy granted my bail and I was to be released at 10am the following morning. Judge Hittner reversed Judge Stacy and denied my bail. I was incarcerated the entire nearly three years pre-trial, and during my trial.

Judge Hittner ordered that I be held at a GEO, private for profit prison, 50 miles north of Houston. Attorney client meetings were virtually impossible at this facility.

My then lead attorney, DICK DEGUERIN, filed 2 different motions with JUDGE HITTNER requesting that I be moved to the FDC, Houston so I could actually meet with my attorneys and begin to pre-prepare for trial. Both were denied. On September 24, 2009 I was assaulted in my cell by other inmates resulting in a Traumatic Brain Injury and 32 fractures in my face and head. (An injury so severe that Judge Hittner, a year later, ruled me incompetent to stand trial and ordered me to Butner FMC for 8 1/2 months of treatment.) On September 25, 2009 Judge Hittner issued an order moving me to FDC HOUSTON. In the ORDER JUDGE HITTNER mentioned that my case was "highly complex" and the "enormous amount of discovery in the hundreds of thousands of pages would no doubt require an enormous amount of time for Mr. Stanford to review with his attorneys". The hundreds of thousands of pages of discovery expanded to well over 100 million pages of discovery, One of the largest amounts of discovery in the history of the nations judicial system.

My case could very well be the most complex to ever come before the 5<sup>TH</sup> CIRCUIT. The number of issues that are truly appealable is staggering.

The purpose of my letter is not to go back over my illegal

and unconstitutional prosecution, nor my extraordinarily flawed defense, or even the horrific things I was forced to endure for nearly 3 years while in pre-trial custody. That is what my appeal is for. And that is why I am writing this letter. My appeal will determine if I spend the rest of my life in prison, or finally have a fair and honest day in court.

On June 14, 2012, I was sentenced to 110 years in prison by JUDGE Hittner. At my sentencing, in open court, JUDGE Hittner said he would appoint a lead attorney under the CSA to represent me in my appeal. He said he would do this within seven days. On July 5, 2012 I left FDC Houston for my designated prison USP Coleman 2. On this same date, Judge Hittner appointed Ms Lourdes Rodriguez as my lead appellate attorney. This was 21 days later, not 7 days as promised by JUDGE Hittner. I only became aware of Ms Rodriguez appointment when I received a letter from her at Coleman 2. A copy of her letter dated July 23, 2012, 18 days AFTER her appointment, is attached. In her letter she promises to keep me informed as to all matters related to my appeal. Other than this letter announcing her appointment, Ms Rodriguez has never communicated with me regarding anything related to my appeal. I have

been left completely in the dark. I had assumed Ms RODRIGUEZ was still in the process of reading the very lengthy trial transcripts and doing research on the pre-trial and trial motions. I certainly had assumed she and her team were carefully researching the large number of appealable issues. I had assumed she would contact me once she had her draft brief ready, and most certainly have kept me informed of a deadline for filing. I certainly thought Ms Rodriguez appreciated the gravity of my appeal. My life is on the line. I was SHOCKED to the core of my soul when my oldest daughter, doing her own research, discovered my appeal is due March 18, 2013. I was just made aware of this through my daughter's efforts on March 3rd. I had assumed Judge Hittner would not appoint someone with inadequate qualifications to handle an appeal as complex and challenging as mine. I knew absolutely nothing about Ms Rodriguez when she informed me of her appointment, and I still at this late stage do not know if she has the skills required. My several emails to her months ago asking for her CV, and experience in complex international financial cases all went unanswered. I have NOT MET or even had a CONVERSATION WITH MY LEAD APPELLATE Attorney, now on the very eve of my filing deadline.

I or any American citizen deserve better than this.

The presumed innocent part of our Constitution is only a myth in America today. I was stripped of all my assets by the government in a CIVIL action where I never set foot in the Courtroom. These seized assets paid for my prosecution, I was indicted on the exact same CIVIL allegations and denied bail for nearly 3 years pre-trial and during trial. I suffered through a severe prison assault and gross government medical malpractice. My mental and physical health have been severely impacted. I was forced to use inexperienced CJA attorneys because the government would not allow me access to my own money to defend myself. I was given a grossly underfunded defense budget. I never reviewed any discovery until 3 weeks prior to trial, which was the total time given to prepare after JUDGE Hittner ruled me competent to stand trial. The government had 3 years to prepare. This is not the equality, fairness and blind justice that is supposed to be our judicial system.

I understand the government has given me no option but to use a CJA attorney with a shoe string budget. All I have asked for is finally getting a fair and honest day in court. In order for that simple request to be achieved I must have legal representation with commensurate experience and skills to the complexity

of my case.

I humbly come to the 5<sup>TH</sup> CIRCUIT and ask that Ms LOURDES RODRIGUEZ be immediately removed as my attorney appointed by JUDGE Hittner. Due to the highly complex nature of my case I request that I be given the opportunity to meet with a qualified CJA appellate attorney before he or she is appointed. I would also humbly ask the 5<sup>TH</sup> CIRCUIT to make the appointment, or as an alternative a federal district JUDGE other than JUDGE Hittner.

Last, I would also request that the date for the filing deadline of March 18, 2013 be struck from the 5<sup>TH</sup> CIRCUIT'S CALENDAR, and a new filing deadline be established once a new appellate attorney has been appointed.

RESPECTFULLY YOURS,

R. Allen Stanford

ROBERT ALLEN STANFORD

**United States Court of Appeals**  
FIFTH CIRCUIT  
OFFICE OF THE CLERK

LYLE W. CAYCE  
CLERK

TEL. 504-310-7700  
600 S. MAESTRI PLACE  
NEW ORLEANS, LA 70130

March 12, 2013

Ms. Lourdes Rodriguez  
300 Fannin Street  
Suite 220  
Houston, TX 77002-0000

No. 12-20411, USA v. Robert Stanford  
USDC No. 4:09-CR-342-1

The appellant has moved to relieve you as court-appointed counsel, and moved for appointment of new counsel. A copy is enclosed. Your response is due within 10 days from the above date and may be in letter form. You should set forth any pertinent facts which might assist the court in ruling on the motion. You are reminded that your obligation to represent the appellant continues until relieved of your appointment by formal court order.

Sincerely,

LYLE W. CAYCE, Clerk

By: 

Peter A. Conners, Deputy Clerk  
504-310-7685

cc: Ms. Laurette Drake Bahry  
Ms. Renata Ann Gowie  
Mr. Robert Allen Stanford