

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA,)	
)	
)	
v.)	CRIMINAL No. 2:14-CR-83-DBH-02
)	
DAVID EVERETT ROBINSON,)	
)	
DEFENDANT)	

ORDER ON DEFENDANT’S MOTIONS TO DISMISS

The defendant David Everett Robinson’s motion to dismiss and continued motion to dismiss the federal criminal charge against him are both **DENIED**. Robinson is charged in one count of an Indictment. Indictment Count Two (ECF No. 3). The charge is that from February 2012 through January 12, 2014, he conspired with F. William Messier to defraud the United States for the purpose of impeding, impairing, obstructing, and defeating the lawful government function of the IRS of the Department of Treasury in the ascertainment, computation, assessment and collection of Messier’s federal income taxes. Id. The arguments that Robinson makes in his motion and continued motion to dismiss the charge are either frivolous or inapplicable to this criminal proceeding. Mot. to Dismiss (ECF No. 50) and Continued Mot. to Dismiss (ECF No. 51).

The Magistrate Judge recently permitted the defendant Robinson to proceed without his court-appointed lawyer. Since then, Robinson has improperly attempted to file a motion on behalf of his co-defendant (ECF No. 50)

(Robinson is not a lawyer admitted to practice in this court and in any event his co-defendant has his own lawyer), and has filed the frivolous and inapplicable arguments I have mentioned (ECF Nos. 50, 51). I am concerned that Robinson fails to understand what is expected of him in these serious criminal proceedings against him now that he has decided to proceed without a lawyer. I **DIRECT** the Clerk's Office to schedule a conference to be attended by the Assistant United States Attorney, Mr. Robinson himself, and court-appointed standby counsel Joel Vincent, Esq. At that conference I will go over the serious risks Robinson is undertaking by trying to represent himself and the responsibilities he must shoulder as an unrepresented defendant facing a federal felony charge.

SO ORDERED.

DATED THIS 5TH DAY OF NOVEMBER, 2014

/s/D. BROCK HORNBY

D. BROCK HORNBY
UNITED STATES DISTRICT JUDGE

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE (PORTLAND)
CRIMINAL DOCKET No. 2:14-CR-83-DBH-02**

United States of America

Represented By Thomas E. Delahanty, II
James W. Chapman
Office of the United States Attorney
100 Middle Street Plaza
Portland, ME 04101
(207) 780-3257
email: Thomas.Delahanty@usdoj.gov
james.w.chapman@usdoj.gov

Karen E. Kelly
United States Department of Justice
Tax Division
P.O. Box 972
Washington, DC 20530
(202) 616-3864
email: karen.e.kelly@usdoj.gov

v.

David Everett Robinson,

Defendant

Represented By David Everett Robinson, Pro Se
3 Linnell Circle
Brunswick, ME 04011

Standby Counsel:

Joel Vincent
Vincent, Kantz, Pittman & Thompson
44 Exchange Street, Suite 301
Portland, ME 04101
(207) 761-1914
email: jvincent802@gmail.com