

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON**

UNITED STATES OF AMERICA,

No. 1:23-cr-00254-MC

Plaintiff,

WAIVER OF COUNSEL

v.

NEGASI ZUBERI,

Defendant.

I am the defendant in this court case, and my initials below indicate that I have read, understand, and affirm all of the following:

1. I understand that I have a CONSTITUTIONAL RIGHT to an ATTORNEY in this case. The court will appoint an attorney for me if I qualify. SZ (initials)
2. I am 30 years of age. I have completed 14 years of school. SZ (initials)
3. I am not under the influence of alcohol or drugs. I am not suffering from any injury, illness, or disability, or taking medication that could affect my ability to make decisions.
 SZ (initials)
4. I understand that I was convicted of, and am set to be sentenced on, the following crimes and that the court has reviewed the maximum penalties of each conviction. SZ (initials)

<i>United States v. Zuberi: Superseding Indictment-Charges and Penalties</i>			
Count	Charge	Statute	Maximum penalties
Count 1	Kidnapping	18 U.S.C. § 1201(a)(1)	Life in prison, not more than 5 years supervised release, \$250,000 fine
Count 2	Transportation	18 U.S.C. § 2421	10 years in prison, not less than 5 years supervised release and up to life, \$250,000 fine

Count 3	Kidnapping	18 U.S.C. § 1201(a)(1)	Life in prison, not more than 5 years supervised release, \$250,000 fine
Counts 4-7	Felon Poss. Firearm	18 U.S.C. § 922(g)(1)	15 years in prison, not more than 3 years supervised release, \$250,000 fine

<i>United States v. Zuberi: Forfeiture Allegations</i>	
First Forfeiture Allegation	Property used or intended to be used to commit Count 2
Second Forfeiture Allegation	Firearms and ammunition used in Counts 4, 5, 6, or 7

5. I understand that I could be sentenced to up to life in prison and fined as much as \$2,000,000.00. SZ (initials)

6. I understand that the court may order that the sentences be served consecutively, that is, one after another. SZ (initials)

7. I understand that my choice to go forward in this case without an attorney puts me at a SERIOUS DISADVANTAGE because:

- I lack legal training and experience and may not realize any legal arguments or mitigation evidence available to me at sentencing.
 - The rules and procedures of sentencing will apply to me even though I am not a lawyer.
 - The United States will be represented by an attorney and will have an advantage over me.
- SZ (initials)

8. As the Court previously advised me, I understand that by waiving my right to an attorney I would give up the following benefits, some of which apply to sentencing:

- An attorney can review the facts of my case to determine what defenses I have and identify problems with the United States' case against me.
- An attorney can help me in my case. For example, an attorney can help me enter a plea to the charges, negotiate a plea agreement, and apply to have me released before trial.
- An attorney knows the procedure for selecting and challenging the jurors who may hear my case. An attorney also knows what questions can and cannot be asked during the jury selection process.
- An attorney knows how to gather evidence, file pretrial and post-trial motions, call witnesses, and cross-examine the United States' witnesses.
- An attorney is trained in legal research and has immediate access to legal research tools that I may not have in a custody setting.
- An attorney understands the rules of evidence and knows how to question witnesses and present evidence that is necessary for my defense.
- An attorney understands the admissibility requirements of expert evidence and can contact and retain experts in my defense. An attorney also understands the

scientific strengths and weaknesses of forensic evidence that could be used against me or in my favor.

- An attorney knows when and how to object to the use of improper evidence.
 - An attorney can help me decide whether I should have a jury trial or have the judge decide my case.
 - An attorney knows how to make legal arguments to the court and present opening and closing statements to the jury.
 - An attorney often has access to IT support to assist them with the presentation of electronic evidence to the jury or sentencing judge. This may include the presentation of video evidence, audio evidence, photographs, or blow ups of certain documents.
 - An attorney can tell me what sentence may be imposed if I am found guilty.
 - An attorney can help present evidence and make arguments about sentencing issues.
 - An attorney knows how to get information from the prosecutor that is important to my case, such as police reports and statements from witnesses.
- An attorney knows what motions and objections must be made during the trial to preserve my rights on appeal.

SZ (initials)

9. Although I have been convicted at trial, I understand that by waiving my right to an attorney at this stage, that I am giving up additional benefits at sentencing and on any appeal:

- An attorney can present mitigation evidence that could impact my sentence.
- An attorney has access to special investigators called mitigation specialists that I may not be able to access.
- An attorney can analyze whether a pre-sentence interview would be in my best interests.
- An attorney could challenge the guideline calculations provided by the probation department in the Pre-Sentence Report.
- An attorney could supplement the Pre-Sentence Report with information that may impact my sentence.
- An attorney can challenge the application of certain sentencing enhancements that may otherwise increase my guideline range.
- An attorney may present arguments that any sentences imposed should run concurrently.
- An attorney will be familiar with the 18 U.S.C. § 3553(a) sentencing factors that the judge will use to craft my sentence.
- An attorney will understand the rights of victims during sentencing and will know how to address any statements made by victims during sentencing.
- An attorney will be familiar with my rights under the Fifth Amendment of the United States Constitution and prevent me from making any statements that could be detrimental to my position at sentencing or any future proceedings.
- An attorney could submit to the court a Sentencing Memorandum outlining mitigation evidence and legal arguments. This could result in a shorter sentence.

- An attorney will understand the procedures and timelines for any appeal.
- An attorney will understand what legal arguments to raise on appeal. By representing myself on appeal, I risk forever waiving potentially valid legal challenges to my conviction.

9. I understand that the judge, the prosecutor, court staff, and my interpreter cannot give me legal advice or help me defend myself at sentencing. SZ (initials)

10. No one has made any threats or promises to make me waive my right to an attorney. SZ (initials)

11. I acknowledge that I have been advised of, and that I understand, the nature of the charges against me and the full extent of the punishment that may be imposed at sentencing. I fully understand the disadvantages of representing myself, and I am aware of the benefits an attorney would provide, as described above. However, I voluntarily WAIVE my right to an attorney in this case and request that the court allow me to represent myself. SZ (initials)

I can read, speak, and understand English. SZ (initials)

This form was read to me. SZ (initials)

Read by: Printed Name Sahima Zuberi

Signature [Signature] Date 12/11/24

This form was sight translated to me. _____ (initials)

Translated by: Printed Name _____

Signature _____ Date _____

Defendant's Signature

Sahima Zuberi
Printed Name

12/11/24
Date

FINDINGS

The court makes the following findings regarding Defendant's waiver of counsel and request to proceed without an attorney:

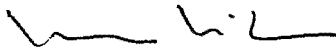
- Defendant understands the information contained in this document.
- The court has reviewed the elements of the crimes and possible maximum penalties with Defendant. MM

- Defendant has knowingly, voluntarily, and intelligently waived the right to counsel.
 - Defendant was advised of the right to obtain discovery.
 - Other finding: _____
-

ORDER

DEFENDANT'S WAIVER OF RIGHT TO COUNSEL IS HEREBY ACCEPTED.

12/11/24
Date


District Judge (signature)