

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

UNITED STATES OF AMERICA,

v.

RONALD GILLETTE,

Defendant.

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Criminal Action No. 2007-50

Attorneys:

Denise Hinds, Esq.,

St. Croix, U.S.V.I.

For the Government

Joseph A. DiRuzzo, III, Esq.,

Miami, FL

For the Defendant

ORDER

THIS MATTER is before the Court on Defendant Ronald Gillette's *pro se* "Motion to Reject Court Appointed Expert's Report and Evidentiary Hearing Testimony," which was filed on August 2, 2011, (Dkt. No. 387), and *pro se* "Informational Motion," which was filed on March 16, 2012, (Dkt. No. 412). The first Motion requests that the August 7, 2011 Expert Report of Maria Julia, Psy. D, be rejected by the Court. The second Motion requests that the Competency Hearing set for March 23, 2012, be continued.

Defendant is represented by counsel in this matter. (Dkt. No. 377). Accordingly, the Court will not consider these or any other *pro se* motions filed by Defendant in this case as long as he continues to be represented by counsel. See *United States v. D'Amario*, 268 F. App'x 179,

180 (3d Cir. 2008) (“The Constitution does not confer a right to proceed simultaneously by counsel and *pro se*, and the District Court was not obligated to consider [the defendant's] *pro se* motions in light of his being represented by counsel on direct appeal.” (citing *McKaskle v. Wiggins*, 465 U.S. 168, 183 (1984))); *United States v. Vampire Nation*, 451 F.3d 189, 206 n.17 (3d Cir. 2006) (noting a district court was within its authority to order the Clerk of Court not to accept any further *pro se* filings by a defendant who was represented by counsel); *Boone v. United States*, 2011 WL 322359, at *2 (D.N.J. Jan. 28, 2011) (declining to consider *pro se* motion and stating that “[t]he Court will consider only those filings submitted by counsel of record.”); *United States v. Gardner*, 2009 WL 1405772, at *2 (W.D.N.C. May 18, 2009) (denying defendant’s *pro se* motions and stating that “[i]f the defendant wishes for motions to be filed by his counsel, he should discuss these matters with his attorney so his attorney can consider whether or not such requests have merit and if so, his attorney can then present them in the form of a motion or motions.”). Accordingly, Defendant is instructed to refrain from submitting any filings to the Court in this matter in a *pro se* capacity while he is represented by counsel.

UPON CONSIDERATION of the foregoing and the entire record herein, it is hereby

ORDERED that Defendant’s *pro se* “Motion to Reject Court Appointed Expert’s Report and Evidentiary Hearing Testimony” is **DENIED AND STRICKEN FROM THE DOCKET**; and it is further

ORDERED that Defendant’s *pro se* “Informational Motion” is **DENIED AND STRICKEN FROM THE DOCKET**; and it is further

ORDERED that Defendant shall refrain from submitting any filings to the Court in this matter in a *pro se* capacity while he is represented by counsel.

SO ORDERED.

Date: March 20, 2012

_____/s/_____
WILMA A. LEWIS
District Judge