

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

United States Courts
Southern District of Texas
FILED

APR 01 2024

Nathan Ochsner, Clerk of Court

United States of America

Plaintiff

v

Jason Daniel Gandy

Defendant

Case No. H-12-503

Defendant's Motion for Return of Property Pursuant to
Federal Rules of Criminal Procedure 41(g)

Comes Now Jason Daniel Gandy the "Defendant", Pro Se, Who Respectfully
Moves The Court For The Return of Property, pursuant to Federal Rules
of Criminal Procedure ("F.R.Cr.P.") 41(g) - Return of Property.

BACKGROUND

During investigation on the above captioned case, a search and seizure
was done on Defendant's abode, with certain property removed by the
investigating officers and held.

Defendant would like the return of this property, as none ^{should have been} ~~was~~ ordered
forfeited by the Court, due to D.E.#34 & 46 which got ignored for
over 4 Years due to misconduct.

ARGUMENT

F.R.Cr.P. 41(g) provides:

Motion of Return of Property

A person aggrieved by...seizure of property...may move for the property's return.

None of the property siezed ^{should have been} ~~was~~ Ordered to be forfeit^{see D.E.#34 & 46}, and Defendant would respectfully ask the Court to Order the Government to return all property it has in it's possession, relating to Defendant.

CONCLUSION

Defendant prays the Court will grant the requested relief.

Respectfully submitted on 3-17-24.

Witnesses that this letter was sent on 3-17-24:

Cory Herthel
Cory Herthel
62114-510

Juwan Grant
Juwan Grant
96466-509

Jason Gandy
Jason Gandy
Reg. No. 73006-279
FCI Oxford
P.O. Box 1000
Oxford, WI 53952

Jason Gandy
Reg. No. 73006-279
FCI Oxford
P.O. Box 1000
Oxford, WI 53952

Clerk of Court
United States District Court
P.O. Box 61010
Houston, TX 77002-2600

March 18, 2024

Re: Case No. H-12-503

Dear Clerk

My name is Jason Gandy and I am the Defendant in the above captioned case.

I am currently in the process of preparing and filing a Motion for the 5th Circuit Court of Appeals, pursuant to 28 U.S.C. §2244, to request a Second or Successive §2255.

In order to do so, I need some documents from the above criminal case, to better understand the record and therefore better serve the Court.

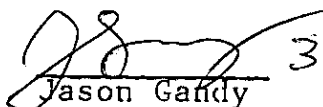
The documents I need are as follows:

- (1) Docket Entries (and all documentation relating to) #98, #141, #46 and #136.

I understand that some of the documents in my case are sealed, and if any of those requested are sealed, can you let me know how to get them unsealed, so that I can accurately check the record by accessing these documents, to help me with my Motion.

Thank you for your assistance in this matter.

Sincerely


Jason Gandy

3-17-24 sent/placed in prison Mail box Sunday night.

My Step Mother Julie Gandy, who has my power of Attorney, has emailed to get the Transcripts of the Hearings in the above D.E. #98, 141, 136 is a Sealed Response to D.E. #133 I've Never Seen. D.E. #46 I've Never Seen. If a Transcript of a hearing is available, please either Mail the Above to me, have Julie pay you or bill her & mail the info. to me OR Her or Both. JG
JASON GANDY

Attachment Page 1

4) He believes judge is prejudice and would like to request another judge if that's possible. He doesn't believe he can get a fair trial with her.

He said that Judge Rosenthal knew better than what she said at the pretrial. She was the one that released the lawyers when they quit. Jason only fired Alston and the rest quit.

Cogdell, Flood and DeBorde all quit because Jason wouldn't take plea deal. In each case, Jason hired another lawyer because they quit working his case when he wouldn't take a plea deal.

With Flood, he went to the judge and asked to be released while Jason was in suicide watch. With Cogdell and DeBorde, they both asked to be released when Jason hired Neyland. Jason told the judge that he didn't want them to quit because they were hired to go to trial. In each case, the judge released them against Jason's wishes. This is a far cry from firing all those lawyers.

I'm not sure why she said that he fired 9 lawyers.

Jason also wanted to add to the motion for speedy trial act if possible. He feels that Judge Rosenthal purposely delayed consideration of his suppression motion for 5 years which made a huge difference in his lawyers' attitudes towards his case. Several of the lawyers said that he wouldn't be able to win his case because of the statements made in Jason's interrogation. If the suppression had been considered and granted earlier, he would have had a better chance of winning without all the extra charges being filed.

This is ?#4 To buckleyfirm@gmail.com that my step mom sent Sean Buckley on 7-12-18 at 10:35pm. It's Exhibit #9 in my compassionate Release Motion that I've been waiting for 2 paralegals to hurry up & file b/c my 88yo Grandfather Kent Botkin is dying of Lung Cancer. Before 2-25-24 when I got cancer, he told me he wanted to do what my mom & I have done to get rid of cancer, which is a BLACK SALVE. If we live Long enough & keep our bodies healthy, at some point we all get cancer. Being skinny & old makes fighting cancer with kimo deadly. This is why Kent told me he wanted me to be his caretaker & for me to apply the Black Salve (google it) Cancer treatment & in my case preventative. Now that Kent has lost his independence & feels he is a burden on my brothers family, he's decided to go the Hospice Route & let Lung Cancer kill him. ~~Judge Rosenthal~~ Judge Rosenthal, ~~I'm~~ I'm hoping you Allow me to keep my 88yo Vietnam Veteran Grand Father Alive since Eddie Cox my CRM paralegal is 89 & still a productive member of society like I & Kent

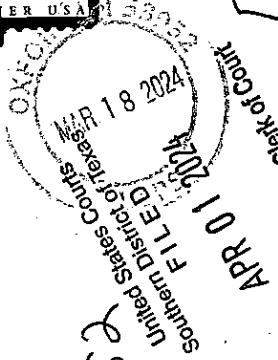
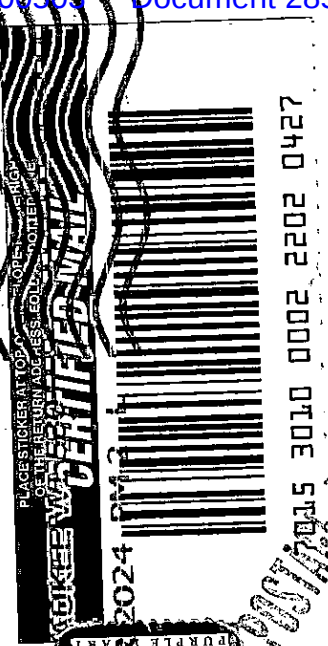
over

PLEASE HELP ME JUDGE

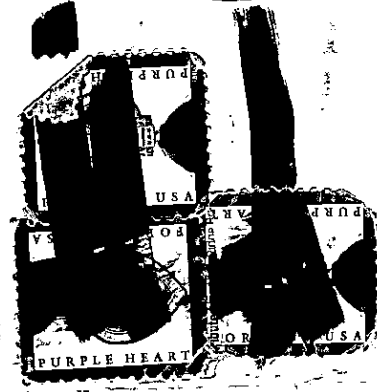
Rosenthal! I've Already been denied
by the Worden (⁷¹³⁻³⁹⁸⁻⁶⁰⁹⁵ Julie has document) & pray you will
put me on "Home Incarceration" with Kent Botkin.
I'm a Huge Forgiver & promise Not To Be Upset If you
had Anything to do with D.E.#34 & 46 getting ignored
which led to me doing 12 yrs Hard Time in Prison.

Did you watch the 7-20-12 interrogation of me & Kevin V.?
J. Johnson uses my illegally obtained statements to Alter
his Interogation. Without my statements his would not
have led to my arrest. I Realized Flood lied to me when
he said, "It's your fault b/c you kept talking after they
refused to let your lawyer in", on 12-22-23 when I Read
in the Wall Street Journal section B3 entitled "V.K. Fraud Office
Must Pay Mining Company". "The V.K.'s Serious Fraud office began
a Corruption Investigation based on tips improperly obtained...
without those communications, the agency wouldn't have launched
its investigation, Justice David Waxman found." This to
me is Newly Discovered Knowledge that has led to me finding
numerous cases like Jonathan Patrick ^{U.S. v.} Blevins with Judge Lynn Hughes.
From 8-12-14 one month before my plea's last offer.

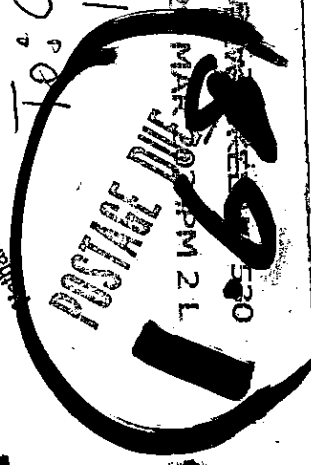
Jason Gandy 73006279
Federal Correctional Institution
P.O. Box 1000
Oxford, WI 53952



[Legal Mail]



To: Clerk of the Court (Federal Court House)
1217 U.S. Court House
515 Rusk Avenue
Houston, TX 77002



→ 88yo Grandfather Needs Me As His 24hr Caretaker & Was diagnosed with
 (Vietnam Veteran K. Botkin) Long Cancer 2-25-24 = EMERGENCY Motion!

12 YEARS IN PRISON when Plea deal was

Date

The enclosed letter was processed through special mailing procedures for forwarding to you. The letter has neither been opened nor inspected. If the writer raises a question or problem over which this facility has justification, you may wish to return the material for further information or clarification. If the writer encloses correspondence for forwarding to another addressee, please return the enclosed to:

Sent

0 years is Enough!

Right To Trial Act
 supported by Habeas Corpus
 supports finally
 Releasing ME!

FEDERAL CORRECTIONAL INSTITUTION
 53952

(Hearing Transcripts)

Witnessed by J. E. Grant

1. Unseal D.E. #3. 2. Return Property 3. Open Investigation into the 7-20-12

Illegally obtained Evidence & Fruit of H.S. Misconduct 4. Compassionate Release Motion

Statements