

1 DENNIS K. BURKE
United States Attorney
District of Arizona

3 FRANK T. GALATI
Assistant U.S. Attorney
Arizona State Bar No. 003404
Frank.Galati@usdoj.gov
4 JAMES R. KNAPP
Assistant U.S. Attorney
Arizona State Bar No. 021166
James.Knapp@usdoj.gov
Two Renaissance Square
40 North Central Avenue, Suite 1200
Phoenix, Arizona 85004-4408
Telephone (602) 514-7500

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF ARIZONA

11 United States of America,
12 Plaintiff,

13 v.

14 Janice Sue Taylor,
15 Defendant.

CR-10-00400-PHX-MHM

**NOTICE OF NONCOMPLIANCE
WITH COURT'S ORDER OF
AUGUST 2, 2010 and REQUEST FOR
ORDER TO SHOW CAUSE RE:
CONTEMPT**

17 On August 2, 2010, the Court ordered that Ronald J. McBride and Desiree Saunders comply
18 with trial subpoenas duly issued and served upon them several months ago [doc. 41]. The Court
19 entered its order after considering each witness' Motion to Quash [docs. 14, 15] and finding that
20 neither motion had articulated a legal basis for quashing the subpoenas. Moreover, the Court
21 found that a pretrial compliance date was warranted due to "the witnesses' past and present
22 conduct." That conduct continues. In another obvious attempt to subvert the government's
23 prosecution of this case, rather than complying by August 10, 2010 as ordered, each witness¹
24 filed another frivolous pleading [docs. 44, 45] contemptuously informing the Court that "I... do

25 _____
26 ¹ Witness McBride is defendant's boyfriend. Witness Saunders is defendant's daughter.
27 While the United States has no direct evidence that either is acting at the direction of defendant,
28 we point out to the Court that defendant herself refused to comply with Judge Bolton's order that
she produce records, was found in contempt and was jailed for approximately 27 months as a
result. *United States v. Sue Taylor*, CR 06-3121-PHX-SRB, doc. 70.

1 not consent to your Order.”

2 In our Response to Motion to Quash Subpoena and Request for Pretrial Compliance
3 Deadline [doc. 35], the United States fully explained the history of these witnesses’
4 noncompliance and bad-faith. A summary of it follows. Each witness was served with a grand
5 jury subpoena duces tecum for documents in late March, almost five months ago. The witnesses
6 appeared before the grand jury with some of the documents on March 30, 2010, but refused to
7 turn them over. On April 6, 2010 before Judge Martone, the witnesses said they would comply
8 and were ordered to comply by April 20, 2010. Again, they did not but on April 22, 2010,
9 moved to quash on the grounds that Taylor’s indictment rendered moot the grand jury’s
10 subpoenas. At that same proceeding, all parties seemed to agree that the documents could be
11 obtained via a trial subpoena. The witnesses were served with those trial subpoenas nearly three
12 months ago, but filed frivolous motions to quash rather than comply.

13 Trial is set for October 5, 2010 and each day of delay further prejudices the United States’
14 ability to adequately prepare for trial. Because these witnesses have each willfully defied the
15 Court’s order of August 2, 2010 and have willfully failed to comply with the subpoenas, the
16 United States respectfully moves pursuant to Rule 17(g), Fed.R.Crim.P. and 28 U.S.C. §1826(a)
17 that Ronald J. McBride and Desiree Saunders, after hearing, be held in civil contempt and, upon
18 their continued failure to comply, be jailed until they do comply or until the conclusion of the
19 prosecution of Janice Sue Taylor, whichever first occurs.

20
21 Respectfully submitted this 12th day of August, 2010.

22 DENNIS K. BURKE
23 United States Attorney
24 District of Arizona

25 S/Frank T. Galati

26 FRANK T. GALATI
27 JAMES R. KNAPP
28 Assistant United States Attorney’s

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CERTIFICATE OF SERVICE

I hereby certify that on August 12, 2010, I caused the attached document to be electronically transmitted to the Clerk's Office using the ECF system for filing and be mailed to Ronald James McBride, P.O. Box 982, Florence, AZ 85132 and Desiree Saunders, 3341 Arianna Court, Gilbert, AZ 85298