

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,

3:16-cr-00051-BR-5

Plaintiff,

ORDER MAINTAINING  
DEFENDANT RYAN BUNDY'S  
STATUS AS A *PRO SE*  
LITIGANT

v.

RYAN BUNDY,

Defendant.

BROWN, Judge.

This matter comes before the Court on the Court's Order (#1101) to Show Cause as to Defendant Ryan Bundy issued August 24, 2016. In that Order the Court directed Ryan Bundy to show cause why the Court should not revoke his *pro se* status for repeatedly failing to follow Court orders and for filing frivolous and previously-addressed motions and issues in this case. In particular, the Court expressed concern that continued refusal by Ryan Bundy to follow this Court's orders during the multi-defendant jury trial scheduled to begin September 7, 2016, created an unacceptable risk of prejudice to the other parties and to the fair administration of justice. The Court directed Ryan Bundy to show cause no later than Noon, August 29, 2016, and

scheduled a hearing for 3:00 p.m., August 30, 2016.

At 2:36 p.m. on August 30, 2016, Ryan Bundy filed a Response (#1150) to Order to Show Cause in which he stated general principles of law relating to the Sixth Amendment right to self-representation, but he did not provide the Court with any assurance that he would comply with Court orders in the future regardless whether he agreed with those orders.

At the hearing the Court repeatedly asked Ryan Bundy whether he would follow Court orders in the presence of the jury at trial. Ryan Bundy persistently stated he would follow Court orders that he found to be in accordance with law, but he repeatedly declined to assure the Court that he would comply with an order with which he disagreed even though he would be entitled to seek review of the Court's orders on appeal in the event he is convicted.

The Court advised Ryan Bundy that he is required to follow all Court orders regardless whether he agrees with any such order and that he would not be permitted to raise any arguments regarding the Court's personal or subject-matter jurisdiction in front of the jury. The Court also advised Ryan Bundy that any defiance of the Court's orders before the jury would result in forfeiting his right to self-representation at trial and/or removal from the courtroom.

On this record, therefore, the Court reluctantly maintains

Ryan Bundy's status as a *pro se* litigant. Although Ryan Bundy's refusal to assure the Court that he would follow all Court orders during jury-trial proceedings regardless whether he agrees with them gives the Court considerable pause, the Court finds Ryan Bundy should be provided a final chance to continue his self-representation in this matter. The Court emphasizes, however, that if Ryan Bundy fails to follow Court orders or otherwise brings up prohibited subject matter in front of the jury, the Court will, as noted, revoke his self-representation in this matter and/or remove him from the courtroom.

IT IS SO ORDERED.

DATED this 2nd day of September, 2016.

A handwritten signature in cursive script, reading "Anna J. Brown", written in black ink.

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ANNA J. BROWN  
United States District Judge