

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA

v.

:
:
:
:
:

WAIVER OF TRIAL BY JURY

The Defendant, [REDACTED], in his own person and by and through counsel, Gregory Davis, does hereby state as follows:

1. I am presently charged in this matter with being an alien in possession of a firearm, in violation of 18 U.S.C. § 922(g)(5).

2. The offense with which I am charged carries a maximum term of imprisonment of not more than ten years and is a felony offense. 18 U.S.C. § 924(a)(2).

3. I understand that the Constitution of the United States guarantees my right to a trial by jury under these circumstances. However, pursuant to Rule 23(a) of the Federal Rules of Criminal Procedure, I wish to waive my right to a jury trial and consent to be tried by the Court without a jury.

4. My attorney has explained to me that there is an immigration detainer lodged against me. He has also explained that, if I am convicted of the charge against me, I will be transferred into immigration custody after I serve the sentence for this conviction and will likely be deported.

5. I understand that, if I am not convicted, or found not guilty, then I will be transferred into immigration custody and deported if immigration authorities determine I am an illegal alien.

6. I understand that, if deported, I am not to return to the United States of America without permission from immigration authorities.

This the 9th day of June, 2010.

LOUIS C. ALLEN III
Federal Public Defender

GREGORY DAVIS
Senior Litigator
North Carolina State Bar No. 7083
251 N. Main Street, Suite 849
Winston-Salem, NC 27101
(336) 631-5278
E-mail: greg_davis@fd.org

SILVESTRE MARCIAL ROMAN
Defendant

Consented to on behalf of the United States of America by:

ARNOLD L. HUSSER
Assistant United States Attorney