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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES ) CASE NO: CR-S-04-0119-KJD-LRL  
 )  
Plaintiff )  
 )  
V ) MOTION TO ALLOW CAMERAS  
 ) IN THE COURT ROOM AND MOTION  
IRWIN SCHIFF, CYNTHIA NEUN ) TO PERMIT DEFENDANT TO FILE THIS  
And LAWRENCE N. COHEN, ) MOTION OUT OF TIME.  
 )  
\_\_\_\_\_  
Defendant )

Here now comes Irwin Schiff, DEFENDANT, seeking the EXPEDITED sanction of this Court to record and broadcast, by non-disruptive means, the proceedings of his criminal trial in order to fully protect and insure his Fifth Amendment Due Process Rights and his Sixth Amendment Right to a Public Trial. This motion challenges the constitutionality of FRCP 53, which ostensibly bars cameras and recordings of federal criminal proceedings.

It is also being filed so as to help insure that Defendant gets an impartial trial as guaranteed to him by the 6<sup>th</sup> Amendment to the Constitution – by allowing the public full access to see how this trial was conducted, given the partisan, self-interest that the Court, the government’s prosecutors, and potential IRS witnesses have in the outcome of this trial.

The reason that this Motion is being filed out of time is that it wasn’t until August 8, 2005 at a hearing on another matter, that the court claimed “It has jurisdiction to try this matter.” In this manner, the Court disposed of five of Defendant’s motions that raised fundamental and constitutional issues related to this Court’s alleged lack of subject matter jurisdiction, without this Court addressing any of the specific issues raised by Defendant in any of those five, extensively briefed Motions.

In addition, as of this late date, this Court has still failed to Rule on Defendant’s

Motion to Suppress all of the evidence derived from the IRS's search and seizure of February 11, 2003 even though Defendant has provided this Court with overwhelming and undenied evidence that the search and seizure was illegal on a variety of grounds. .

The fact that as of this late date this Court believes it could legally rule (and without oral argument) on such a fundamental issue as the Court's alleged lack of jurisdiction, based merely on the Court's arbitrary claim that it "had such jurisdiction" and the Court's failure to Rule on Defendant's Motion to Suppress, fully justifies Defendant's fear that this Court will similarly exercise arbitrary, pro government bias in the conduct of this trial – which can only be corrected by a video recording of the entire proceedings, which can later be viewed by the American public all of whom have a stake in this trial and how it was conducted.

Therefore, I also move that this Court allow me to file this Motion out of time, since the Court's Rulings on the above matters will have also been made "out of time."

Dated: September 2, 2005

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Irwin Schiff, pro per

I certify that I have this date hand delivered a copy of the foregoing Motion To Allow Cameras in the Courtroom to:

MELISSA SCHRAIBMAN  
LARRY J. WSZALEK  
JEFFREY A. NEIMAN  
Trial Attorneys, Tax Division  
US Department of Justice  
333 Las Vegas Blvd., South, Suite 5000  
Las Vegas, Nevada 89101

And that I have this day mailed a copy of this Motion by first class mail, to the following Attorney's of record.

CHAD BOWERS, Esq.  
Counsel for Defendant Cohen  
3202 W. Charleston Blvd.  
Las Vegas, Nevada 89102

MICHAEL CRISTALLI, Esq.  
Counsel for Defendant Neun  
732 S. 6<sup>th</sup> St. Suite 100  
Las Vegas, Nevada 89109

Date: September 2, 2005

Irwin Schiff

