UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED
JUL - 2 2009
NANCY MAYER WHITTINGTON, CLERK
U.S. DISTRICT COURT

	§	
	§	
	§	
In re Super American Grand Jury	§	**Misc. No. 09-346 (RCL)**
	§	
	§	
	§	

ORDER

The Fifth Amendment provides that "no person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a grand jury. . . ." U.S. CONST. amend. V. And although presentments are constitutionally permitted, there is no authority under the Rules of Criminal Procedure or in the statutes of the United States for this Court to accept one. *United States v. Briggs*, 514 F.2d 794, 803 n.14 (5th Cir. 1975); *Gaither v. United States*, 413 F.2d 1061, 1065 n.1 (D.C. Cir. 1969); *see also United States v. Cox*, 342 F.2d. 167, 184 (5th Cir. 1965) (Brown, J., concurring).

Furthermore, grand juries are convened by the court for the district in which they sit. *See* FED. R. CRIM. P. 6(a)(1). Grand jurors are also to be selected at random from a fair cross section of the district in which they are convened. 18 U.S.C. § 1861. The individuals who have made this presentment were not convened by this Court to sit as a grand jury nor have they been selected at random from a fair cross section of this district. Any self-styled indictment or

presentment issued by such a group has no force under the Constitution or laws of the United States.

As such, leave to file this presentment is hereby DENIED. Further, though the papers presented to the Clerk of Court shall not be filed, they shall be assigned a miscellaneous number along with this order for the Court's record.

SO ORDERED this 2nd day of July 2009.

ROYCE C. LAMBERTH
Chief Judge
United States District Court