

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS
CRIMINAL DIVISION

FILED
JUDGE STEVEN J. GOEBEL-1954

SEP 03 2012

CLERK OF THE CIRCUIT COURT
CRIMINAL DIVISION

State Of Illinois,)
)
 Plaintiff,)
)
 v.)
)
 Annabel K. Melongo)
)
 Defendant,)
)

No. 10CR0809201

Judge Steven J. Goebel

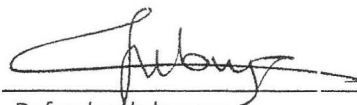
Motion To Have Subpoena Against Mrs. Carol Spizzirri Stand

NOW comes ANNABEL MELONGO, Pro Se, and petitions this Court to have its court: ordered subpoena of September 6th, 2012, compelling Mrs. Carol Spizzirri to testify during the October 9th, 2012, argument stand. As grounds of this motion, the defendant states:

1. Under the Confrontation Clause and the Compulsory Clause of the Sixth Amendment, guarantees by both the United States and the Illinois Constitution, and as the accuser in the above captioned-case, Mrs. Carol Spizzirri can't choose not to comply with a subpoena duly ordered by this Court.
2. Tough the state alleges that it will be costly to sustain Mrs. Spizzirri travel's costs given that she leaves in California, the same state didn't consider that argument when it sent the defendant to jail for over 19th months under unconstitutional charges. Furthermore, Mrs. Spizzirri, being the complainant in the case, knew that at some point she would have to appear in court to testify in order to sustain her accusations. However she deliberately moves to California and is now using her new location as an excuse to avoid being crossed examined.
3. Nothing in the Confrontation and Compulsory Clauses says that an accuser can only be confronted during trial. Statements made by the detective in the above-captioned case will be challenged during the October 9th, 2012. Mrs. Spizzirri, in a letter sent to Assistant Attorney Barry Goldberg, on June 11th, 2012, states "After Computer Tamper Sabotage Spizzirri was the **only person who knew each document**, taking her two years & hundreds of hours, to replace each recovered file and place it back into appropriate file." Moreover, given the discrepancy between statements in the police reports and those made by Carol Spizzirri in regard to the allegations that will be challenged during the October 9th, 2012, argument, it will be fair to the defendant to cross-examine the detective and the accuser in order to establish the truthfulness of the perjury allegations in her motion to dismiss.

WHEREFORE, the defendant begs this Honorable Court to have its September 6th, 2012, subpoena requiring Mrs. Spizzirri to testify on October 9th, 2012, stand. Failure to do so will violate both the Confrontation and Compulsory clauses guaranteed under the Sixth Amendment and Article 1, Section 8 of Illinois Constitution and deny a fair trial to the accused.

Respectfully Submitted,



Defendant's lawyer

Atty. No.: 99500

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