

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA**

**VS.**

**Crim. No.** \_\_\_\_\_

**ASSERTION OF FIFTH AND SIXTH AMENDMENT RIGHTS**

I, the above named defendant, hereby assert my Fifth and Sixth Amendment rights to remain silent and to have counsel present at any and all of my interactions with the government or others acting on the government's behalf. I do not wish to, and will not, waive any of my constitutional rights except in the presence of counsel. I do not want the government or others acting on the government's behalf to question me, or to contact me seeking my waiver of any rights, unless my counsel is present.<sup>1</sup>

*[Yo, el acusado nombrado arriba, por la presente afirmo mis derechos, bajo la quinta y la sexta enmiendas a la Constitución de los Estados Unidos, a mantener mi silencio y a tener presente mi abogado durante cualquier contacto con el gobierno u otros actuando como representantes del gobierno. No renunciaré ninguno de mis derechos constitucionales sin la presencia de mi abogado, y deseo que no se comuniqué conmigo ningún agente del gobierno con propósito de solicitar una renuncia de mis derechos constitucionales al menos de que este presente mi abogado.]*

\_\_\_\_\_  
(Defendant's signature)

\_\_\_\_\_  
(Attorney's signature)

\_\_\_\_\_  
(Attorney's name/address printed)

Date: \_\_\_\_\_

Time: \_\_\_\_\_ a.m. / p.m.

<sup>1</sup> See *Maine v. Moulton*, 474 U.S. 159, 176 (1985) (holding Sixth Amendment violated when government obtains confession by knowingly circumventing accused's right to have counsel present in a confrontation between accused and government); *Edwards v. Arizona*, 451 U.S. 477, 484 (1981) (holding that once accused has expressed desire to deal with law enforcement only through counsel, no interrogation may take place in absence of counsel unless accused initiates communication with law enforcement); Pa. R. of Prof. Conduct 4.2 (barring communication with persons represented by counsel without consent of counsel) & R. 5.3 (responsibilities regarding nonlawyer assistants); 28 U.S.C. § 530B(a) (government attorneys bound by state ethical rules).