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9 Attorney for Defendant PARKER

10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 United States of America,
13 Plaintiff,
14 v.
15 James R. Parker,
16 Defendant.

17 **Case No. CR10-00757-001-PHX-ROS**
18 **MOTION TO WITHDRAW AS**
19 **COUNSEL OF RECORD**
20 (No Oral Argument Requested)

21 Counsel undersigned respectfully requests, pursuant to Local Rule LR Civ.
22 83.3(b), that he be allowed to withdraw from further representation in this matter
23 because the defendant substantially failed to fulfill financial obligations to counsel
24 regarding counsel's services and has been given reasonable warning that counsel will
25 withdraw unless the obligation is fulfilled. (A certificate of counsel in compliance with
26 LRCiv 83.3(b)(2) is attached hereto.) Defense counsel believes it is permissible under
27 the provisions of E.R. 1.16 of the Arizona Rules of Professional Conduct to seek to
28 withdraw from further representation in this case. A copy of this motion has been sent
to the client at his last known address.

In addition, a Notice of Limited Appearance has been filed by Joy Bertrand, Esq.
The Notice indicates that she has agreed to serve as local counsel for out-of-state
attorney Michael Minns and that the defendant is in the process of hiring the Minns firm
to represent him in this matter.

1 It is expected that excludable delay under Title 18 U.S.C. § 3161(h)(1)(F) will
2 occur as a result of this motion or from an order based thereon.

3 RESPECTFULLY SUBMITTED this 3rd day of August, 2010.

4 Law Office of Thomas M. Hoidal, P.L.C.

5
6 s/ Thomas M. Hoidal
7 THOMAS M. HOIDAL
8 Attorney for Defendant Parker

9 I hereby certify that on August 3, 2010, I electronically transmitted the attached
10 document to the Clerk's Office using the ECF System for filing and transmittal to the
11 following ECF registrants:

12 Peter Sexton Peter.Sexton@usdoj.gov

13 Copy mailed this same date, to:

14 James R. Parker

15
16 s/ Thomas M. Hoidal
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CERTIFICATE OF COUNSEL

I, Thomas M. Hoidal, being first duly sworn, depose and say as follows:

In accordance with Local Rule LR Civ. 83.3(b)(2), the Defendant in this case, James R. Parker, has been notified in writing of the status of the case, including the dates and times of any future court hearings or trial settings, pending compliance with any existing orders and the possibility of sanctions, by letter addressed to him at P.O. Box 5722, Carefree, AZ 85377.

FURTHER AFFIANT SAYETH NAUGHT.

8/3/10
DATE

[Signature]
THOMAS M. HOIDAL

STATE OF ARIZONA)
County of Maricopa) ss.

SUBSCRIBED AND SWORN TO before me this 3rd day of August, 2010, by Thomas M. Hoidal.

[Signature]
Notary Public

My Commission Expires:



12/29/2012