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13 UNITED STATES DISTRICT COURT  
 14 DISTRICT OF ARIZONA

14	United States of America,	)	CR-23-01321-01-PHX-SMB
15		)	
16	Plaintiff,	)	<b>MOTION TO WITHDRAW AS</b>
17		)	<b>COUNSEL <u>WITH</u> CLIENT CONSENT</b>
18	v.	)	
19		)	<b>-AND-</b>
20	1. Luis Ortega,	)	
21	(Counts 1-42, 45-55)	)	<b>REQUEST TO APPOINT NEW</b>
22		)	<b>COUNSEL</b>
23	2. Jermie Sowerby,	)	
24	(Counts 43-44)	)	
25		)	
26	Defendants.	)	

27 Pursuant to Local Crim. Rule 57.14 and Local Civil Rule 83.3 and Arizona Rule  
 28 of Professional Conduct 1.16, the Law Firm of Mitchell Stein Carey Chapman, P.C.  
 (MSCC), counsel for Defendant Luis Ortega in the above-captioned case, hereby moves  
 to withdraw as legal counsel for Mr. Ortega. Mr. Ortega has executed a Consent for  
 Withdraw, a copy of which is attached as **Exhibit 1**.



1 MSCC seeks an order permitting its withdrawal as counsel of record for Mr.  
2 Ortega in this action, because professional considerations require the termination of the  
3 representation. *See* Ariz. R. S. Ct. 42, ER 1.16, Comment 3.<sup>1</sup>

4 For the foregoing reasons, MSCC respectfully requests that the Court enter an  
5 Order granting the Motion to Withdraw and appoint counsel to assist Mr. Ortega with the  
6 defense of this matter. Further, MSCC hereby requests that it be removed from the  
7 official service list for this action, and as recipient for email through the CM/ECF system.

8 It is expected that excludable delay under Title 18 U.S.C. § 3161(h)(7)(B)(i) and  
9 (iv) may occur as a result of this motion or from an order based thereon.

10 RESPECTFULLY SUBMITTED on December 12, 2023.

11 MITCHELL | STEIN | CAREY | CHAPMAN, PC

12 By: /s/ Lee Stein

13 Lee Stein

14 Anne Chapman

15 Molly Brizgys

16 *Attorneys for Luis Ortega*

17  
18  
19  
20 **CERTIFICATE OF SERVICE**

21 I hereby certify that on December 12, 2023, I transmitted the foregoing document  
22 and any attachments to the U.S. District Court Clerk's Office using the CM/ECF System  
23 for filing, and a copy to CM/ECF registrants.

24  
25 /s/ B. Wolcott

26  
27 <sup>1</sup> Comment 3 to ER 1.16 states in part that “[t]he court may request an explanation for the  
28 withdrawal, while the lawyer may be bound to keep confidential the facts that would constitute  
such explanation. The lawyer’s statement that professional considerations require termination of  
the representation ordinarily should be accepted as sufficient.” Ariz. R. S. Ct. 42, ER 1.16, Cmt.  
3.