

SHAWDY BANIHASHEMI
Deputy Public Defender
620 W. Jackson Street, Suite 4015
Phoenix, AZ 85003-2302
(602) 506-7711
AZ Bar No. 024990
Attorney for Defendant

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF MARICOPA

STATE OF ARIZONA,

Plaintiff,

v.

JOHN CHESTER STUART,

Defendant.

No. CR 2008-006332-001 DT

MOTION TO WITHDRAW

(Hon. ROSA MROZ)

COMES NOW the Maricopa County Public Defender, by and through his undersigned deputy, and respectfully moves this Court to allow counsel to withdraw from representation of the defendant named above for the reason that a conflict of interest exists between the defendant and appointed counsel. Continued representation creates both potential and actual conflicts of interest which may jeopardize the quality of representation ultimately rendered. In accordance with the professional obligations governing lawyer conduct as set forth in E.R. 1.6, 1.7, 1.9, and 1.10 of the Arizona Rules of Professional Conduct, undersigned counsel believes that continued representation is improper and withdraw is necessary.

RESPECTFULLY SUBMITTED this 13th day of May, 2008

Maricopa County Public Defender

By *Shawdy Banihasemi*
SHAWDY BANIHASHEMI
Deputy Public Defender

Copy of the foregoing motion
delivered this 13th day
of May, 2008 to:

HON. ROSA MROZ
Judge of the Superior Court
201 West Jefferson
Phoenix, AZ 85003

SUSIE CHARBEL
Deputy County Attorney
301 West Jefferson
Phoenix, Arizona 85003

By *Shawdy Banihasemi*
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ORDER

(Hon. Rosa Mroz)

This matter having come before the Court, and good cause appearing therefor;

IT IS HEREBY ORDERED that Public Defender be allowed to withdraw from the above-captioned case and that new counsel be appointed to represent the defendant because of a conflict of interest.

DONE IN OPEN COURT this ___ day of May, 2008.

ROSA MROZ
JUDGE OF THE SUPERIOR COURT