

MICHAEL K. JEANES, CLERK  
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1 **JACKSON WHITE**  
2 **ATTORNEYS AT LAW**  
3 *A Professional Corporation*

4 40 North Center, Suite 200  
5 Mesa, Arizona 85201  
6 (480) 464-1111  
7 Attorneys for Defendant  
8 By: Jeremy S. Geigle, No. 021786

9 **IN THE SUPERIOR COURT OF THE STATE OF ARIZONA**  
10 **IN AND FOR THE COUNTY OF MARICOPA**

11 THE STATE OF ARIZONA,

12 Plaintiff,

13 vs.

14 JOHN CHESTER STUART,

15 Defendant.

No. CR2008-006332-001

**MOTION TO WITHDRAW  
AS COUNSEL**

(Assigned to the Honorable  
Paul McMurdie)

16 Pursuant to Rule 6.3(c) of the Arizona Rules of Criminal Procedure, I, Jeremy S. Geigle, of  
17 the law firm of Jackson White, P.C., move to withdraw as counsel for John Chester Stuart,  
18 defendant in the above captioned and numbered cause. This matter having been set for trial to begin  
19 on Monday, the 29<sup>th</sup> day of September, 2008.

20 This motion is based upon the following Memorandum of Points and Authorities.

21 DATED this 17<sup>th</sup> day of September, 2008.

JACKSON WHITE

22 By 

23 Jeremy S. Geigle  
24 Attorneys for Defendant  
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1 MEMORANDUM OF POINTS AND AUTHORITIES

2 The Arizona Rules of Professional Conduct, ER 1.7(a) provides, in pertinent part:  
3 ...a lawyer shall not represent a client if the representation involves a  
4 concurrent conflict of interest. A concurrent conflict of interest exists  
if:

5 (1) the representation of one client will be directly  
adverse to another client;

6 The undersigned, as a member of the firm of Jackson White, P.C., began representation of  
7 "Client A" in an unrelated matter. "Client A" and Mr. Stuart have developed adverse interests and  
8 it is no longer ethical for the undersigned or any member of the law firm of Jackson White, P.C. to  
9 continue representation of Mr. Stuart nor "Client A." Present counsel, therefore, requests that this  
10 Court enter its order allowing Jeremy S. Geigle and the law firm of Jackson White, P.C. to withdraw  
11 as attorney.

12 Undersigned counsel has addressed this issue with the Ethics Department of the State Bar of  
13 Arizona and undersigned was told: continued representation would cause undersigned to violate the  
14 Rules of Professional Conduct; this conflict is not waivable; undersigned should withdraw from  
15 representation today; undersigned may not ethically disclose further details.

16 RESPECTFULLY SUBMITTED this 17<sup>th</sup> day of September, 2008.

17 JACKSON WHITE

18 By 

19 Jeremy S. Geigle  
20 40 N. Center Street, Suite 200  
21 Mesa, Arizona 85201  
22 Attorneys for Defendant

1 ORIGINAL filed with Clerk of  
Court and COPY hand delivered  
2 this 17<sup>th</sup> day of September, 2008, to:

3 Hon. Paul McMurdie  
Maricopa County Superior Court  
4 101 W. Jefferson Ave., Ste. 413  
Phoenix, Arizona 85003  
5 Assigned Judge

6 and COPY faxed and mailed same date to:

7 Susie Charbel, Deputy County Attorney  
Maricopa County Attorney's Office  
8 301 W. Jefferson, Suite 400  
Phoenix, Arizona 85003-2191  
9 Attorney for Plaintiff  
[fax #602-506-7950]

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