

THOMAS C. "DOC" MILLER
Lawyer & Counselor at Law

Thursday, April 15, 2004

Steve Douglas Gartin
2363 1/2 South Decatur Street
Denver, Colorado 80219

Dear Steve:

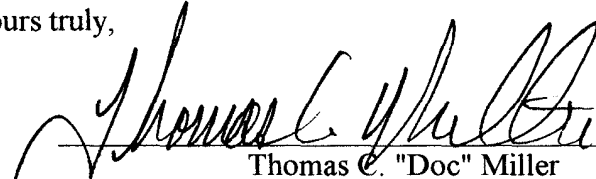
I was, to say the least, astounded to receive your *pro se* Motion to Withdraw Guilty Plea. And, I was dumbfounded by its contents.

I can no longer represent you. Enclosed please find my Motion to Withdraw as your lawyer on 00 CR 3711 and 02 CR 3011. I will also file the requisite Motion to Withdraw in the Petition to Seal.

I also enclose my correspondence to the Coconino County Court and District Attorney's Office. Enclosed are all documents I have received. I do not now, nor have I ever represented you in this matter.

You long ago received all discovery files in 00 CR 3711 and 02 CR 3011. These files include the matter involving Renita O'Ferril. I cannot represent any further.

Yours truly,



Thomas C. "Doc" Miller
1026 Lincoln Place
Boulder, Colorado 80302
303-484-8229

District Court, Division 02, County of Jefferson STATE OF COLORADO 100 Jefferson County Parkway Golden, Colorado 80401	▲ Court Use Only ▲
PEOPLE OF THE STATE OF COLORADO Plaintiff v. Steve Douglas Gartin Defendant.	
Thomas C. "Doc" Miller, Reg. No. 22652 1026 Lincoln Place Boulder, Colorado 80302 303.484.8229	Case Number: 00 CR 3371 & 02 CR 3011 Division:
<h2>MOTION TO WITHDRAW</h2>	

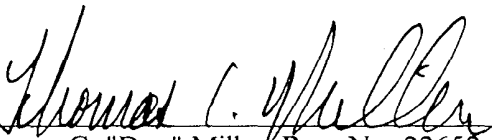
Comes now, Thomas C. "Doc" Miller, lawyer for the Defendant, **Steve Douglas Gartin**, and moves this Honorable Court to grant the above captioned Motion to Withdraw and as grounds therefore states as follows:

1. The Alternative Defense Counsel appointed Mr. Miller as Advisory Counsel to Mr. Gartin in March, 2002.
2. On April 8, 2002, Mr. Miller converted from advisory to representative counsel for Mr. Gartin for purposes of Mr. Gartin's entry of pleas to guilty in 00 CR 3371.
3. Mr. Miller agreed to remain on Mr. Gartin's case through the pendency of the two year probationary period from April 8, 2002 until April 8, 2004.
4. During the probationary period, Mr. Gartin demanded that Mr. Miller seek the sealing of his criminal record in 00 CR 3711.
5. A hearing on a Motion for Forgiveness and Petition to Seal in this matter was held before the Honorable Stephen M. Munsinger on April 8, 2004.
6. The Motion for Forgiveness and Petition to Seal was denied.
7. For several weeks prior to the April 8, 2004, hearing on this matter, Mr. Gartin would provide no address or phone number for Mr. Miller, nor would he communicate by any other means than e-mail.
8. Mr. Miller does not use e-mail with Mr. Gartin as anything reported to Mr. Gartin by Mr. Miller is often forwarded to others, and undermines attorney/client privilege.
9. Mr. Miller does not use the internet or e-mail in any client matters for security of information.
10. Mr. Gartin, without authorization from Mr. Miller, the Alternative Defense Counsel, or this Honorable Court, employed the services of a bail bondsman and quasi-private investigator, Frank Pugliese, for investigative work in 00 CR 3711 and 02 CR 3011.
11. Mr. Pugliese mailed unsupervised and disapproved reports to this Honorable Court and to opposing Counsel in 00 CR 3711 without the knowledge of, consent, or approval of Mr. Miller.
12. Mr. Pugliese, acting outside the authority or permission of this Honorable Court, the Alternative Defense Counsel, or Mr. Miller violated the work product privilege of Mr. Gartin.

13. Further, Mr. Gartin refuses to work directly with Wally Barrett, the appointed Alternative Defense Counsel Investigator, who is supervised by Mr. Miller in 00 CR 3371 or 02 CR 3011.
14. On April 9, 2004, without approval or discussion with Mr. Miller, Mr. Gartin filed a pro se Motion to Withdraw Guilty Plea.
15. Despite hundreds of hours of legal counseling, freedom from incarceration in 00 CR 3711, and dismissal of 02 CR 3011, Mr. Gartin continues to ignore or refuse the advice and counsel of Mr. Miller, and proceeded to file an ill-advised pro se motion.
16. Paragraph fifteen (15) of the Motion to Withdraw Guilty Plea alleges ineffective assistance of counsel, and thus precludes further representation.
17. The probationary period in 00 CR 3711 was to conclude on April 08, 2004.
18. Mr. Gartin was charged with misdemeanor violations in Coconino County, Arizona on November 17, 2003.
19. The Attorney General's Office in 00 CR 3711 has now filed to revoke Mr. Gartin's probation on April 7, 2004, based upon the charges in Arizona, and Mr. Gartin's failure to pay restitution.
20. On November 22, 2002, Mr. Gartin was arrested and charged in 02 CR 3011.
21. Mr. Miller was again appointed to represent Mr. Gartin in 02 CR 3011 by the Alternative Defense Counsel.
22. Through assiduous work and investigation, 02 CR 3011 was dismissed by the Jefferson County District Attorney's Office on December 18, 2003.
23. Mr. Gartin requires no further representation in 02 CR 3011.
24. Brien Shaha, Director of the Alternative Defense Counsel, does not object to Mr. Miller's withdrawal from 00 CR 3711 and 02 CR 3011.

Therefore, in the interests of substantial justice and fundamental fairness, Thomas C. "Doc" Miller requests this Honorable Court to grant the foregoing Motion to Withdraw.

Respectfully submitted this Thursday, April 15, 2004,



Thomas C. "Doc" Miller, Reg. No. 22652

1026 Lincoln Place

Boulder, Colorado 80302

303.484.8229

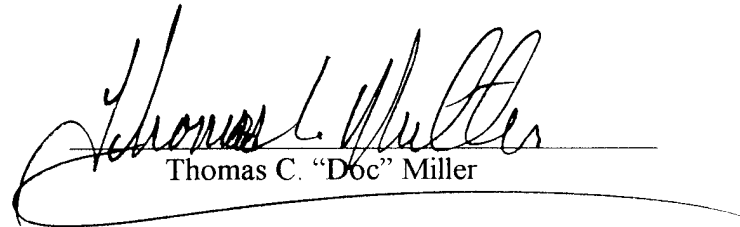
Certificate of Service

I, Thomas C. "Doc" Miller, hereby certify that on Thursday, April 15, 2004, a true and correct copy of the foregoing **Motion to Withdraw** was placed in the United States Mail, postage prepaid, and addressed to the following parties:

Clerk of the District Court, Division 02
District Court, Division 02 of Jefferson County
100 Jefferson County Parkway
Golden, Colorado 80401

Joe Gilmore
Deputy District Attorney
Jefferson County District Attorney's Office
500 Jefferson County Parkway
Golden, Colorado 80401

Marlene Langfield, Esquire
Colorado Attorney General's Office
1525 Sherman Street, 7th Floor
Denver, Colorado 80202


Thomas C. "Doc" Miller