

District Court, Division 02, County of Jefferson
STATE OF COLORADO
100 Jefferson County Parkway
Golden, Colorado 80401

PEOPLE OF THE STATE OF COLORADO
Plaintiff

v.

Steve Douglas Gartin

Defendant.

▲ Court Use Only ▲

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:

MOTION TO WITHDRAW

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.