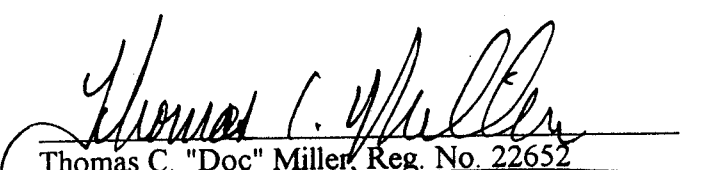


13. Further, Mr. Gartin refuses to work directly with Wally Barrett, the appointed Alternative Defense Counsel Investigator, who is supervised by Mr. Miller in 00 CR 3371 or 02 CR 3011.
14. On April 9, 2004, without approval or discussion with Mr. Miller, Mr. Gartin filed a pro se Motion to Withdraw 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
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