

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No.: 08-00297-01-CR-W-FJG
)	
ANGELA R. CLARK)	
)	
Defendant.)	

**MOTION FOR WITHDRAWAL AND APPOINTMENT
OF COURT APPOINTED COUNSEL**

Angela R. Clark, a defendant in the above-captioned matter, requests the Court order the withdrawal of retained legal counsel with a simultaneous court appointment of the same legal counsel to continue with her representation in this complex mortgage fraud case. Defendant Clark respectfully states the following in support of this request:

1. Defendant Clark is 40 years old. Both she and her family reside at 601 NE Sundance Trail, Lees Summit, MO 64086.
2. In or around August of 2007, Mrs. Clark was approached for questioning by the FBI and was subsequently served with a Target letter.
3. Following receipt of the Target letter, Mrs. Clark approached the undersigned legal counsel for representation. Arrangements were made for counsel to be paid a limited retainer with future payments generated from income and assets, as necessary.
4. Over the past 16 months, legal counsel has zealously represented Mrs. Clark during the course of the government’s investigation, including: numerous in depth meetings with Mrs. Clark for factual background, extensive study and comparison of relevant

documents for each property at issue, preparation for and participation in several lengthy proffer sessions, and extensive negotiations regarding a potential plea agreement, among other things.

5. Mrs. Clark's financial commitments to retained counsel up to this point have depleted the financial resources she had available.

6. Despite her best efforts, Mrs. Clark consistently has not been able to address her financial obligations to retained counsel. Mrs. Clark currently owes counsel in excess of \$23,578.38 for fees and expenses generated in 2008.

7. Mrs. Clark is not presently employed, she has other substantial financial commitments, and her remaining assets are minimal.

8. Mrs. Clark has no foreseeable means of paying what is currently owed nor does she have the ability to pay for continued representation.

9. Mrs. Clark has no extended family with the financial means to pay for continued representation.

10. Mrs. Clark's financial situation, as demonstrated by the Affidavit of Financial Status—a courtesy copy of which was submitted to chambers, warrants appointment of CJA counsel in this complex mortgage fraud case involving multiple defendants, a lengthy trial and substantial amounts of evidence.

11. To prevent a disruption in the case, retained counsel is willing to remain involved with Mrs. Clark's defense as a court-appointed counsel for a reduced rate.

12. The government does not oppose the withdrawal of retained counsel with the simultaneous court appointment, enabling current counsel to continue representing Mrs. Clark.

13. Counsel and Mrs. Clark have explored alternative options before seeking this relief from the Court. The relief is requested only after those options failed to address the situation.

Based on the foregoing, Mrs. Clark requests the Court withdrawal presently retained counsel and simultaneously order the appointment of Patrick McInerney as CJA counsel.

Respectfully submitted,

/s/ Patrick A. McInerney
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing was filed electronically with the Court, with notice of case activity to be generated and sent electronically by the Clerk of the Court (with a copy to be mailed to any individuals who do not receive electronic notice from the Clerk) this 13th day of January, 2008, upon all counsel of record.

/s/ Patrick A. McInerney
Attorney