

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
KANSAS CITY, MISSOURI**

**UNITED STATES OF AMERICA,
Plaintiff,**

Vs.

Case No. 09-00121-01-DGK

**GILBERTO LARA-RUIZ,
Defendant.**

MOTION TO WITHDRAW AS ATTORNEY OF RECORD

COMES NOW, Jacquelyn E. Rokusek, an attorney appointed by this honorable court to represent the indigent defendant Gilberto Lara-Ruiz, and respectfully moves this Court to allow her to withdraw as the attorney of record. In support thereof, Ms. Rokusek alleges, as follows:

1. Pursuant to Rule 44(a) of the Rules of Criminal Procedure, Jacquelyn Rokusek was appointed to represent the defendant on this case.
2. Counsel met with Mr. Lara-Ruiz on July 22, 2011 at CCA to discuss issues related to sentencing. Mr. Lara-Ruiz voiced his dissatisfaction with counsel's trial strategy. Further, Mr. Lara-Ruiz asked counsel to withdraw. Currently, Mr. Lara-Ruiz and counsel cannot effectively communicate due to a breakdown in the attorney/client relationship.
3. Counsel discussed this issue with Mr. Lara-Ruiz and indicated that counsel would not move to withdraw unless the defendant believed that counsel could not effectively represent his interests during the sentencing phase of his case. Subsequent to the meeting at CCA, Mr. Lara-Ruiz wrote a letter again requesting that counsel draft and file this motion to

withdraw. Mr. Lara-Ruiz is respectfully requesting new counsel be appointed to represent his interests during the sentencing and appellate phase of this case.

WHEREFORE, court appointed counsel for the defendant respectfully requests leave to withdraw and requests a hearing date as soon as the court has time to hear said matter.

Respectfully submitted,

/s/ Jacquelyn E. Rokusek
Jacquelyn E. Rokusek #16308
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CERTIFICATE OF SERVICE

I hereby certify that on July 28, 2011, I electronically filed with the clerk of the court by using the CM/ECF system which will send a notice of electronic filing to the following attorney of record: AUSA Bruce Rhoads.

/s/ Jacquelyn E. Rokusek
Attorney for Defendant