

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	Criminal Action No.
v.)	10-00162-06-CR-W-FJG
)	
NARICCO T. SCOTT,)	
)	
Defendant.)	

ORDER

On November 16, 2012, defendant filed a pro se motion under seal asking that his current attorney be removed. Judge Fernando Gaitan, Jr., referred the motion to me, and on December 3, 2012, I held a hearing. During the hearing defendant stated that he is considering moving to withdraw his guilty plea based on ineffective assistance of counsel. I informed defendant that I was not going to replace his current attorney, Robin Fowler, at this time. However, if defendant decides he does want to file a motion to withdraw his guilty plea, Mr. Fowler will become a witness and he will therefore be replaced without further motion by defendant. Defendant was warned that withdrawing his guilty plea may subject him to a longer prison sentence if he is convicted. He was also warned that even filing an unsuccessful motion to withdraw his guilty plea could be interpreted by the government as a breach of the plea agreement, and the government could then recommend a longer prison term at defendant's sentencing hearing. Defendant was advised to think about what he wants to do; and if he decides he would like to file the motion to withdraw his guilty plea, he should let me know as soon as possible.

It is

ORDERED that defendant's pro se motion for appointment of substitute counsel is denied.

/s/ Robert E. Larsen

ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
December 6, 2012