

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

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 11-00223-04-CR-W-ODS
)	
BILLY RAY HALL,)	
)	
Defendant.)	

ORDER

On September 27, 2011, Christopher Angles was appointed under the Criminal Justice Act to represent defendant Billy Ray Hall.

On March 23, 2012, Larry E. Kinnamon, Jr. filed an Entry of Appearance on behalf of defendant Billy Ray Hall. The Entry of Appearance was mailed to the Court in paper form.

Rule 5.1 of the Local Rules for the United States District Court for the Western District of Missouri provides in part:

Unless otherwise expressly provided for by these rules or by court order or by exceptional circumstances preventing electronic filing, all litigants and other interested parties represented by legal counsel shall electronically file all pleadings and documents (including initiating documents) in connection with a case on the Courts electronic filing system in accordance with the CM/ECF CIVIL AND CRIMINAL ADMINISTRATIVE PROCEDURES MANUAL, available on the Courts web site.

A telephone status conference was held before the undersigned on March 28, 2012, to discuss Mr. Kinnamon's entry of appearance as Mr. Kinnamon is not an active member of the Bar of this Court and because Mr. Kinnamon had expressed to court personnel that he does not own a computer and will be filing documents in paper form only, rather than electronically. During the

telephone conference, Mr. Kinnamon advised that while he intends to take the appropriate steps to be reinstated to active status in this Court, he has no intention of complying with Local Rule 5.1. When advised that absent compliance with Local Rule 5.1, Mr. Kinnamon would not be allowed to take on the representation of defendant Hall, Mr. Kinnamon suggested that he would just work along with defendant's court-appointed counsel and make use of Mr. Angles' computer to electronically file pleadings in this case.

The Criminal Justice Act authorizes the appointment of only one counsel in non-capital cases. Mr. Angles has been appointed by this Court to represent defendant Hall. It is appointed counsel's duty to take professional responsibility for the conduct of the case in the manner he deems most appropriate. Unless and until Mr. Kinnamon complies with the Local Rules of this Court, he will not be considered legal counsel for defendant Hall, despite his entry of appearance.

Given the foregoing, it is

ORDERED that Christopher J. Angles shall continue as court-appointed counsel for defendant Hall. It is further

ORDERED that the Clerk of Court shall remove Larry E. Kinnamon, Jr. as counsel of record for defendant Hall, despite Mr. Kinnamon's entry of appearance. It is further

ORDERED that the Clerk of Court is directed to mail a copy of this Order to Larry E. Kinnamon, Jr. for informational purposes.

/s/ Sarah W. Hays
SARAH W. HAYS
UNITED STATES MAGISTRATE JUDGE