



to a week and a half length trial.

3. Defense counsel has faxed and talked to Andrew Armstrong personally over the past few months about the payment of attorney fees and anticipated expenses and fees during trial. Counsel has carried a substantial balance owed by Mr. Armstrong since last year, which has not been paid, and which appears the defendant cannot pay at this time. After the telephonic hearing with the Court on June 16<sup>th</sup>, Mr. Armstrong was given a deadline to perform as to past services owed, and counsel has received no payment on that, and no plan on how he would be paid for the time necessary for the trial preparation and trial.

4. It may be necessary for the Court to appoint counsel for the defendant should I be allowed to withdraw from this case. Mr. Armstrong has been advised of his necessity to have counsel, retained or appointed in this case.

5. I am filing this Motion with the Court as directed in our last conference of June 16<sup>th</sup>, so that there is no further delay or inconvenience for Government counsel and the Court in their schedules. If the Court needs any other additional information I will be available to provide same. The defendant will be served a copy of this Motion the day it is sent out from this office along with Government counsel. We appreciate the Court's consideration of this Motion.

**WHEREFORE**, defense counsel Michael G. McGuire respectfully requests that he be allowed to withdraw as counsel of record in this case for the reasons noted above, and

that the Court issue an Order approving this withdrawal.

Respectfully submitted,

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Michael G. McGuire, OBA # 11425  
Attorney at Law  
717 S. Houston, Ste. 400  
Tulsa, OK 74127-9007  
(918) 587-6200  
(918) 587-4767 facsimile

**CERTIFICATE OF MAILING**

I, Michael G. McGuire, do hereby certify that on the 21st\_\_\_\_ day of June, 2005, I mailed a true and correct copy of the above and foregoing Defense Counsel Michael G. McGuire's Motion to Withdraw as Counsel for Defendant Armstrong with proper postage thereon fully prepaid to:

AUSA Andrew H. Kahl  
United States Attorney Office  
110 E. Court Ave., 2<sup>nd</sup> Floor  
Des Moines, Iowa 53039

Clerk's Office  
United States District Court Clerk  
123 E. Walnut, Room 300  
Des Moines, Iowa 50309

AUSA Christopher Maietta

US Department of Justice  
600 E. Street NW, Room 5706  
Washington, D.C. 20004

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Michael G. McGuire

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF IOWA-CENTRAL DIVISION

CERTIFICATE OF SERVICE

I hereby certify that on \_\_ 1st Day of June, 2005, I electronically, on behalf of Michael G. McGuire, filed the foregoing with the Clerk of Court using the ECF system which will send notification of such filing to the above recipients.

S/F. Montgomery Brown  
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