

**IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE DISTRICT OF NEW MEXICO**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	<b>Case Number: 08 MJ 58 LFG</b>
	)	
<b>RICHARD J. HERMANN,</b>	)	
	)	
<b>Defendant.</b>	)	

**UNOPPOSED MOTION TO WITHDRAW AS COUNSEL OF RECORD**

**COME NOW**, Robert J. Gorence of Gorence & Oliveros, P.C., and hereby moves to withdraw as Counsel of Record in the captioned case. As grounds, therefore, counsel would show the Court:

1. The attorney/client relationship has deteriorated to the point where Mr. Hermann no longer desires undersigned counsel to be his attorney.
2. Assistant United States Attorney, Laura Fashing, was contacted and does not oppose this motion.
3. Withdrawal is permitted under these circumstances pursuant to Rule 16-116B(6), Rules of Professional Conduct regarding terminating representation, in that other good cause for withdrawal exists because the attorney/client relationship has deteriorated.
4. Defendant is in custody. He is incarcerated at Torrance County Detention, Estancia, New Mexico.
5. Should the Court allow defense counsel to withdraw, Defendant's position in this

matter would not be prejudiced nor compromised.

**WHEREFORE**, Defendant prays that the relief requested herein be granted and for such other and further relief as the Court may deem just and proper.

Respectfully submitted,

Electronically filed 01/18/08

Robert J. Gorence  
Attorney for Defendant  
201 12<sup>th</sup> Street, NW  
Albuquerque, NM 87102  
(505) 244-0214

**THIS WILL CERTIFY** that a true and correct copy of the foregoing was electronically transmitted to AUSA Laura Fashing on this 18<sup>th</sup> day of January, 2008.

Electronically filed: 01/18/08

Robert J. Gorence  
Attorney for Defendant