

CA 04-50189
DC NO. CR 02-00350-AHM
(Central District of California)

IN THE UNITED STATES COURT OF APPEAL
FOR THE NINTH CIRCUIT

UNITED STATES OF AMERICA,)
)
 Plaintiff-Appellee,)
)
 v.)
)
STEVEN WILLIAM SUTCLIFFE,)
)
 Defendant-Appellant.)
)

)

APPEAL FROM THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

~~HONORABLE~~ A. HOWARD MATZ,
UNITED STATES DISTRICT COURT JUDGE

**MOTION TO BE RELIEVED AS COUNSEL OF RECORD;
DECLARATION OF SUNG B. PARK**

SUNG B. PARK, ESQ.
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ATTORNEY FOR APPELLANT
STEVEN SUTCLIFFE

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MOTION TO BE RELIEVED AS COUNSEL OF RECORD

Appointed counsel Sung Park, counsel of record for Steven William Sutcliffe, has accepted employment with the Department of Homeland Security.

Mr. Park respectfully requests that this Court relieve him as the counsel of record for Mr. Sutcliffe.

This application is based on the attached Declaration of Sung B. Park.

Dated: January 19, 2006

Respectfully submitted,


Sung B. Park, Esq.

Attorney for Appellant
Steven William Sutcliffe

DECLARATION OF SUNG B. PARK

I, Sung B. Park, declare as follows:

1. I am an attorney at law, licensed to practice in the State of California and admitted to practice in the Ninth Circuit. I have been appointed, pursuant to the Criminal Justice Act, as the attorney representing Mr. Sutcliffe in the above-entitled matter.

2. All the briefing has been completed in this case. An oral argument is set for February 5, 2007 in Pasadena, California.

3. I have just recently accepted employment with the Department of Homeland Security. Since the projected start date for my new job is February 20, 2007, I will be able to represent Mr. Sutcliffe at the oral argument. However, since I will not be able to continue my representation of Mr. Sutcliffe once I start my employment at the Department of Homeland Security, I need to be relieved from my representation of Mr. Sutcliffe after the oral argument.

4. I discussed my situation with Ms. Gail Ivens, the Administrator of the CJA Appellate Panel for the Central District. We attempted to search for a panel attorney who might be willing to take on the appointment in this case. However, we were not able to find anyone. Thus, I

respectfully request the Court to relieve me as counsel of record for Mr. Sutcliffe in CA No. 04-50189 and appoint a new counsel as the Court deems appropriate.

5. Mr. Sutcliffe is currently out of custody on supervised release.

Under the penalty of perjury, I declare the foregoing to be true and correct.

Dated: January 19, 2007


Sung B. Park