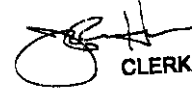


UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH DAKOTA  
WESTERN DIVISION

**FILED**

JUN 15 2009

  
CLERK

UNITED STATES OF AMERICA, )  
 )  
 Plaintiff, )  
 )  
 vs. )  
 )  
 JOHN GRAHAM, A/K/A JOHN BOY )  
 PATTON, and VINE RICHARD )  
 MARSHALL, A/K/A RICHARD VINE )  
 MARSHALL, A/K/A DICK MARSHALL, )  
 )  
 Defendants. )

CR08-50079

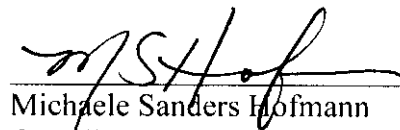
MOTION TO WITHDRAW  
AS COUNSEL OF RECORD

COMES NOW Michael Sanders Hofmann of Costello, Porter, Hill, Heisterkamp, Bushnell & Carpenter, LLP, attorney for Theda Clarke in the above-captioned matter, and moves this Honorable Court for its Order permitting Ms. Hofmann to withdraw as court-appointed counsel for Theda Clarke, having been appointed as Ms. Clark's attorney by this Court's Order, dated April 9, 2009. This Motion is supported by Counsel's Affidavit In Support of Motion To Withdraw.

WHEREFORE, it is requested that the Court allow Michael Sanders Hofmann to withdraw as counsel for Theda Clarke, and further, that counsel be appointed to Theda Clarke pursuant to the Criminal Justice Act, 18 U.S.C. §§ 3006A, *et seq.*

Dated this 15<sup>th</sup> day of June, 2009.

Respectfully submitted,



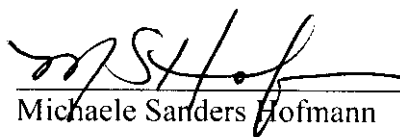
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Costello, Porter, Hill, Heisterkamp,  
Bushnell & Carpenter, LLP  
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P.O. Box 290

Rapid City, SD 57709  
Telephone: 605-343-2410  
Facsimile: 605-343-4282  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of June, 2009, a true and correct copy of the foregoing **Motion to Withdraw as Counsel** was served upon the following persons, by First Class Mail, postage prepaid:

Marty Jackley	<input checked="" type="checkbox"/>	U.S. Mail
United States Attorney	<input type="checkbox"/>	Hand Delivery
United States Courthouse	<input type="checkbox"/>	Facsimile
515 Ninth Street	<input type="checkbox"/>	Federal Express
Rapid City, SD 57701	<input type="checkbox"/>	Electronic Case Filing
John R. Murphy	<input checked="" type="checkbox"/>	U.S. Mail
Murphy Law Office	<input type="checkbox"/>	Hand Delivery
328 East New York Street, # 1	<input type="checkbox"/>	Facsimile
Rapid City, SD 57701	<input type="checkbox"/>	Federal Express
	<input type="checkbox"/>	Electronic Case Filing
Dana Hanna	<input checked="" type="checkbox"/>	U.S. Mail
Hanna Law Office	<input type="checkbox"/>	Hand Delivery
P.O. Box 3080	<input type="checkbox"/>	Facsimile
Rapid City, SD 57709	<input type="checkbox"/>	Federal Express
	<input type="checkbox"/>	Electronic Case Filing
c/o Theda Clark	<input checked="" type="checkbox"/>	U.S. Mail
Crest View Care Center	<input type="checkbox"/>	Hand Delivery
420 Gordon Avenue	<input type="checkbox"/>	Facsimile
Chadron, NE 69337	<input type="checkbox"/>	Federal Express
	<input type="checkbox"/>	Electronic Case Filing

  
Michael Sanders Hofmann