

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

UNITED STATES OF AMERICA,

§

Plaintiff,

§

§

v.

§

Cause No. CR 06-538 JH

§

DANUEL DEAN QUANTANCE,

§

Defendant.

§

§

**MOTION FOR LEAVE TO WITHDRAW AS COUNSEL**

MARC H. ROBERT, appointed counsel for DANUEL DEAN QUANTANCE, Defendant, moves for leave to withdraw as counsel for Mr. Quantance, and in support of his motion would respectfully show the Court as follows:

1. Mr. Quantance is charged by superseding indictment filed on May 17, 2006 [Doc. 65] with possession of more than 50 kilograms of marijuana with intent to distribute it and conspiracy to possess more than 100 kilograms of marijuana with intent to distribute it. Mr. Quantance was arraigned on June 2, 2006 and entered not guilty pleas to both charges. Trial is set for May 21, 2007 in Albuquerque. Mr. Quantance has moved for continuance of that trial setting to the June trial calendar. Other motions, including motions in limine, remain pending.

2. Effective assistance of counsel depends on a viable relationship between attorney and client. It is counsel's belief such a relationship no longer exists between counsel and Mr. Quantance. Counsel believes that the relationship has deteriorated to the point at

which an effective relationship, and Mr. Quaintance's Constitutional right to effective assistance of counsel, is in jeopardy.

3. Counsel requests that the Court grant counsel leave to withdraw, and that the Court appoint substitute counsel forthwith.

4. The government opposes this motion.

**WHEREFORE**, for the foregoing reasons, counsel for DANUEL DEAN QUAINANCE, Defendant, respectfully prays that the Court enter an order granting counsel leave to withdraw from Mr. Quaintance's representation; for appointment of substitute counsel forthwith; and for such other and further relief to which the Court may find counsel and Mr. Quaintance to be justly entitled.

Respectfully Submitted,

FEDERAL PUBLIC DEFENDER  
500 S. Main St., Suite 600  
Las Cruces, NM 88001  
(505) 527-6930  
Fax (505) 527-6933

*filed electronically on May 7, 2007*

MARC H. ROBERT  
Assistant Federal Public Defender  
Las Cruces Office

*Counsel for Mr. Quaintance*

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing Motion for Leave to Withdraw was served on Assistant United States Attorneys Luis A. Martinez and Amanda Gould, 555 Telshor, Suite 300, Las Cruces, New Mexico, 88011, by placing it in the box designated for the United States Attorney's Office at the United States District Court Clerk's office; Mr. Mario A. Esparza, P.O. Box 2468, Las Cruces, New Mexico 88004; and Ms. Bernadette Sedillo, 201 N. Church St., Suite 330, Las Cruces, New Mexico 88001 on May 8, 2007.

*filed electronically on May 7, 2007*

MARC H. ROBERT

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