

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO
Clerk's Minutes
Before the Honorable Judith C. Herrera**

USA v. Mary Helen Quaintance Case No. 06-538 JH

Date: May 17, 2007

Courtroom Clerk: Lincoln Sorrell Court Reporter: Paul Baca

Court in Session: 9:33 a.m./9:43 a.m. Total 10 minutes

Type of Proceeding: **Telephonic** Hearing on Mario Esparza's Motion to Withdraw as Counsel for Mary Helen Quaintance

Attorney(s) Present for Plaintiff(s): Attorney(s) Present for Defendant(s):

Luis Martinez

Mario Esparza
Mary Helen Quaintance

Proceedings:

Court in Session:

- 9:33 a.m.** Court in session; attorney appearances and Ms. Quaintance present
- 9:34 a.m.** Mr. Esparza argues in support of motion to withdraw. He verified with client that she does not want Esparza representing her. Certain issues not being represented though Esparza thinks they've already been ruled on. Mr. Esparza suggested an appeal as a way to deal with that issue. Ethically will not put on a defense that has already been ruled on. Relationship has deteriorated to point where he can no longer represent Ms. Quaintance
- 9:37 a.m.** Court to Ms. Quaintance: Esparza very competent and diligent. Court has ruled on several issues and those won't change because a new lawyer comes into the case. Ms. Quaintance still wants a new attorney.
- 9:39 a.m.** Martinez: Government opposes motion; same issues will surface with new attorney; no benefit in getting new attorney. Ms. Quaintance made a motion earlier in case to remove Esparza. Reasons are inadequate.
- 9:41 a.m.** Esparza: Quaintance admissions are part of court record now and potentially exposes her to more time; attempted to represent her to the best of his ability.
- 9:41 a.m.** Court: if it were just a difference in strategy, there would be no cause. However, motion indicates Quaintance does not think Esparza is being loyal, so the motion will be granted. Court finds good cause for granting motion. Court not likely to look favorably on future such motions. Court will appoint a new attorney to represent Ms. Quaintance.
- 9:43 a.m.** Court in recess.