

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT TENNESSEE  
WESTERN DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

NO.: 08-cr-20261

*Von Rico Webber,*

Defendant.

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MOTION TO WITHDRAW AS COUNSEL

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Comes now the attorney for the Defendant, Von Rico Webber herein, Autumn B. Chastain, Attorney at Law, and does hereby respectfully move to withdraw as Attorney of Record for the aforementioned Defendant. For cause counsel for your Defendant would state and show to the Court as follows:

1. This matter is currently set for Sentencing January 6, 2010.
2. Counsel was appointed to represent Defendant on the above referenced Indictment after the case had been pending for some time.
3. Since such time, a conflict has arisen causing this attorney to find it necessary to withdraw.
4. Counsel became aware of the conflict after receiving the PSR and having a subsequent conversation with the AUSA in the case, Kevin Ritz.
5. During counsel's representation, counsel met with her client on several occasions advising him of his exposure in this case.
6. Counsel based her calculations and exposure on statements made prior to client's decision to change his plea.

7. After receiving the PSR, counsel has discovered that her representations to client were based on information provided by the Government, which were subsequently learned to be inaccurate.

8. This discrepancy in the information relied upon, now exposes the Defendant to significantly more time.

9. It is this counsel's opinion that based on the foregoing, the Defendant may have a strong basis for an ineffective assistance of counsel petition and in such, this counsel finds need to withdraw as she is not in a position to continue advising her client.

WHEREFORE, PREMISES CONSIDERED, this attorney for defendant Von Rico Webber, Autumn B. Chastain, Attorney at Law, respectfully requests that she be allowed to withdraw in this matter.

Respectfully submitted,

/s Autumn B. Chastain  
Autumn B. Chastain #21420  
707 Adams Avenue  
Memphis, TN 38105  
901-521-4001  
Attorney for Defendant  
Morris Akins

CERTIFICATE OF SERVICE

I, the undersigned, do hereby certify that a true and exact copy of the foregoing document has been served upon all concerned parties, via ECF this 31st day of December, 2009.

/s Autumn B. Chastain

Autumn B. Chastain