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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Michael Apelt,)	No. CV-98-0882-PHX-ROS
Petitioner,)	<u>DEATH PENALTY CASE</u>
vs.)	ORDER
Charles L. Ryan, et al.,)	
Respondents.)	

Pursuant to LRCiv 83.3(b)(2), counsel for Petitioner, Dana Carpenter, moves to substitute Emily Skinner, Esq., for Patrick McGillicuddy, Esq., as co-counsel for Petitioner in this matter. (Dkt. 224.)

Good cause appearing,

IT IS HEREBY ORDERED granting Petitioner’s motion for substitution of counsel, but denying *ex parte* status to the motion as counsel for Petitioner did not properly comply with the requirements of LRCiv 83.3(b)(1). (Dkt. 224.) Patrick McGillicuddy, Esq., is withdrawn as co-counsel for Petitioner in this matter. Mr. McGillicuddy shall submit any outstanding interim voucher for payment within thirty (30) days of this Order.

IT IS FURTHER ORDERED that Mr. McGillicuddy file an affidavit within ten (10) days certifying that he has complied with LRCiv 83.2(e), incorporating the State Rules of Professional Conduct, in particular, E.R. 1.16.

