

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

UNITED STATES OF AMERICA	:	CASE No. 8-06-CR-264-T-26TGW
	:	
v.	:	
	:	
DAVID HURTADO-FUENTES	:	
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MOTION TO WITHDRAW BY DARIO D. DIAZ AS COUNSEL FOR
DEFENDANT DAVID HURTADO-FUENTES

COMES NOW DARIO D. DIAZ, ESQUIRE, attorney of record for the Defendant, DAVID HURTADO-FUENTES, in the above captioned matter, pursuant to Middle District of Florida local rule 2.03, and hereby requests this Honorable Court enter an order allowing counsel to withdraw as counsel for the Defendant DAVID HURTADO-FUENTES and as grounds thereof establishes as follows:

1. The Defendant has ceased all contact with the undersigned, with pre-trial services, and with the court.
2. The undersigned has had no contact with the Defendant for over two (2) months prior to the filing of this motion. The undersigned has been diligent in all efforts to contact the Defendant including:
 - i. Several attempts to contact the Defendant at all telephone numbers provided by the Defendant;
 - ii. letters mailed both regular and certified return receipt requested;
 - iii. Contact with third parties who are friends and family of the Defendant who do not know the Defendant's whereabouts; and
 - iv. Contact with pre-trial services concerning the Defendant's supervision.
3. The Defendant had significant contact with the undersigned attorney during the pre-trial phase and actually attended court at each proceeding, entered a plea, signed the plea agreement, met with the undersigned

several times during the proceedings, and participated with the defense of his case.

4. The Defendant failed to appear for the sentencing hearing before this Honorable Court on the morning of March 16, 2007.
5. Despite the repeated attempts to contact the Defendant, the undersigned has had no contact with the Defendant and is unable to effectively continue representation in this matter.

WHEREFORE the attorney of record, DARIO D. DIAZ, respectfully requests this Honorable Court enter an order allowing him to withdraw as the attorney for the Defendant, DAVID HURTADO-FUENTES.

/s/Dario D. Diaz

DARIO D. DIAZ, ESQUIRE

Florida Bar Number: 084883

Attorney for Defendant David Hurtado-Fuentes

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 16, 2007, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the United States Attorney.

/s/Dario D. Diaz

DARIO D. DIAZ, ESQUIRE

Florida Bar Number: 084883

Attorney for Defendant David Hurtado-Fuentes

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