

STATE OF NORTH CAROLINA
CUMBERLAND COUNTY

File No(s).

In The General Court Of Justice
 Superior District Court Division

STATE VERSUS

Defendant

**MOTION AND ORDER BY
COURT APPOINTED COUNSEL TO WITHDRAW
AND
ORDER OF APPOINTMENT OF NEW COUNSEL**

Name of ADA Assigned *(Superior Court only)*

MOTION

The undersigned counsel moves the Court to withdraw from the above captioned case(s) for good cause as stated below:
(Indicate Reason)

Date Name of Attorney for the Defendant Signature of Attorney for the Defendant

ORDER

For the reasons stated above the Court finds there is good cause shown to withdraw the above appointed counsel from these proceedings;

The Court finds that the defendant has heretofore been determined to be indigent and is entitled to the services of counsel as contemplated by law;

The Court therefore orders that the attorney named below shall be appointed to represent the defendant in the above captioned case(s).

Name of Attorney Appointed *(Please Print)* Date
Signature of Judge Presiding

CERTIFICATION OF COUNSEL

I hereby certify that:

1. I am forwarding a copy of this Order to the District Attorney's Office, and a copy of this Order with all court documents *(including copies of indictments Superior Court only)* in my possession to the attorney appointed above.
2. a. I have received discovery materials provided by the District Attorney's Office and have forwarded the materials to the: attorney appointed above District Attorney's Office to be forwarded at a later date.
OR,
 b. I have not received any discovery materials from the Office of the District Attorney. I understand that any future discovery materials received by me are to be returned to the District Attorney's Office.
3. [PUBLIC DEFENDER OFFICE ONLY] I certify that the State Computer System *(Automated Criminal Index System)* has been updated to reflect the name of the attorney appointed above in each of the above-identified cases.

Date Copies Delivered to Attorney Appointed Signature of Attorney Public Defender Private Attorney

INSTRUCTIONS TO ATTORNEY BEING REMOVED: Obtain the name of the next available attorney from the Court Appointed Assignment List and prepare this form. After this order is signed, it is your responsibility to: (1) forward a copy of this order to the District Attorney's Office, (2) forward a copy of this order and all court documents in your possession (including indictment(s)) to the new appointed counsel, and (3) forward any discovery materials in your possession pursuant to your above certification.

INSTRUCTIONS TO THE CLERK OF SUPERIOR COURT: [Private Bar conflicts only] Update the State Computer System to indicate the name of the above-appointed attorney for each above-identified case.

INSTRUCTIONS TO THE PUBLIC DEFENDER: [Public Defender Office conflicts only] Update the State Computer System to indicate the name of the above-appointed attorney for each of the above-identified cases.