

Motion to Withdraw as Attorney with Sealed Supporting Memoranda In a Criminal Case

Approval of the court is not required to file sealed memoranda in support of a motion to withdraw as attorney in a criminal case.

When filing a motion to withdraw as attorney with sealed supporting memoranda in a criminal case, you should:

Step 1: File your motion to withdraw as attorney pursuant to Section III, A of the Criminal Procedures Manual which defines the specific steps to electronically file a motion. **Do not attach any sealed supporting memoranda to the motion to withdraw as attorney.** The motion will appear on the public record and electronic notification will be sent to case participants. Access to the document will be available to all parties associated with the case, persons using the public terminal at the courthouse and PACER users.

Step 2: After you have completed filing your motion to withdraw as attorney, from the blue menu bar select Criminal. Under the category Other Filings, select Other Documents. From the drop down menu, select Sealed Supplement re: Motion to Withdraw as Attorney to electronically file your sealed supporting memoranda. Electronic notification will be sent to case participants; however the document itself is sealed and will not be accessible. Electronic access of the sealed supporting memoranda is limited to assigned chambers staff and specific court personnel.

Step 3: The attorney filing the sealed supporting memoranda must serve a paper copy of the document upon any party who is entitled to receive a copy. In addition, counsel must retain a copy of the document because the clerk's office can only provide copies of sealed documents when directed by a court order.