

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40044-14-RDR

AGUSTIN RAMIREZ-VILLA,

Defendant.

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O R D E R

On August 23, 2011, the above-captioned case came before the court upon defendant's pro se motion for appointment of new counsel. Doc. No. 106. The court listened to defendant and to the comments of counsel for both sides. The court concluded that defense counsel has made a strong effort to communicate with defendant and defendant's wife, and to represent defendant before the court. Defendant said nothing to contradict this conclusion. Defendant simply raised questions regarding whether the government can prove its case and expressed frustration with the impact of this prosecution upon himself and especially his family.

The court believes that defendant and his counsel have not had any breakdown in communication which would warrant the appointment of new counsel. Nor is the court aware of any other legitimate cause to appoint new counsel. Therefore, defendant's pro se motion for appointment of new counsel shall be denied.

The court will also repeat to defendant that this is a complex

case with 15 other defendants and a very large amount of discovery for counsel to inspect. It may take a considerable period of time before the case is ready for trial. Defendant is advised to work through his counsel to make contact with the court, to ask for court documents, and to file motions with the court. Defendant does not have the right to file motions with the court as long as he has appointed counsel. Also, defendant should not ask the interpreter for court proceedings to contact his attorney on defendant's behalf.

In conclusion, the court shall deny defendant's pro se motion for new counsel.

**IT IS SO ORDERED.**

Dated this 25<sup>th</sup> day of August, 2011 at Topeka, Kansas.

s/Richard D. Rogers  
United States District Judge