

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF KANSAS

UNITED STATES OF AMERICA,

Plaintiff,

vs.

Case No. 11-40046-01-RDR

JAMES JUSTIN WOODS,

Defendant.

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O R D E R

This order follows a hearing upon defendant's pro se motion for appointment of new counsel - Doc. No. 78. During the hearing the court heard the comments of defendant and his counsel. Defendant expressed frustration with the circumstances of his pretrial incarceration and requested that he be moved to a different holding facility closer to his attorney. His counsel asked the court to direct that defendant be placed at the Shawnee County jail.

Upon consideration, the court finds that defendant has not established a breakdown of communication or other grounds which would justify the appointment of new counsel. Therefore, his motion shall be denied. The court has consulted with the U.S. Marshal's Office regarding defendant's request to be moved to the Shawnee County jail. There are a number of factors which must be considered. At the present time, the court shall defer making a ruling upon defendant's oral request to change his place of

confinement pending further review and possible changes in circumstances.

**IT IS SO ORDERED.**

Dated this 27<sup>th</sup> day of October, 2011 at Topeka, Kansas.

s/Richard D. Rogers  
United States District Judge