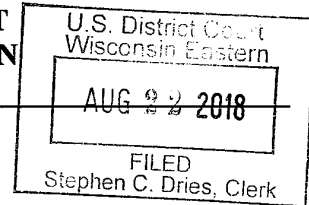


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN



UNITED STATES OF AMERICA

PLAINTIFF,

V.

CASE NO. 17-CR-160 NOTICE OF
MOTION AND MOTION TO
DISMISS COURT APPOINTED
COUNSEL

RONALD VAN DEN HEUVEL

DEFENDANT.

NOTICE OF MOTION AND MOTION TO
DISMISS DEFENDANT'S COURT APPOINTED COUNSEL

Defendant Ronald Van Den Heuvel respectfully moves the court to grant his Motion to Dismiss the Use of his Court Appointed Attorney in the above captioned case. The defendant sites two reasons in defense of this motion:

I. Failure to communicate

Attorney Robert LaBell has failed to adequately communicate with the defendant, severely prejudicing the defendant's ability to prepare for trial and aid in his own defense.

II. Failure to investigate

The defendant asserts that Attorney Robert LaBell has failed to review numerous documents, or obtain expert assistance on technical matters of which the defendant's case relies heavily on, that would aid in the proper

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defense of the defendant. Furthermore, it is the defendant's belief that defense counsel is using the Prosecution's ESI discovery documents contained on Relativity to defend his client. These documents support the government's case against the defendant and in no way represents the side of the Defendant. The defendant's own counsel has never been to the defendant's office to examine the defendant's exculpatory documents. Under the government's guidelines in the use of ESI discovery, 'at the outset of a case involving substantial or complex ESI discovery, the parties should meet and confer about the nature, volume, and mechanics of producing ESI discovery'. The defendant was never informed that this took place.

A criminal defendant's right to an attorney is found in the Sixth Amendment to the U.S. Constitution, which requires the "assistance of counsel" for the accused "in all criminal prosecutions." The Courts have interpreted the Sixth Amendment right to counsel as guaranteeing the "effective assistance of counsel". Defendant is rightfully concerned that his court appointed attorney, having never been to his offices, nor examined the defendant's exculpatory evidence, has failed to be 'affective' in the defendant's pursuit of justice and a fair trial.

THEREFORE, the defendant Ronald Van Den Heuvel, ask that Honorable Judge William Greisbach allow him to proceed *Pro Se*. In *Faretta v. California*, the Supreme Court recognized that the Sixth Amendment grants to every accused the right to self-representation-the right to conduct one's own defense-because ultimately it is the defendant who will suffer the consequences if the defense is unsuccessful.

The defendant respectfully ask the court for an additional five days to prepare his motions from the date, as stamped by the Clerk of the Court, of this motion.

RESPECTFULLY SUBMITTED,

A handwritten signature in black ink, appearing to read "Ron Van Den Heuvel", written in a cursive style.

RONALD VAN DEN HEUVEL

DEFENDANT