

UNITED STATES COURT OF APPEALS
FOR THE TENTH CIRCUIT

March 6, 2009

Elisabeth A. Shumaker
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NATHANIEL SOLON,

Defendant - Appellant.

No. 09-8018

(D. C. No. 2:07-CR-00032-CAB-1)

ORDER

Before **KELLY** and **McCONNELL**, Circuit Judges.

This matter is before the court on the Motion to Withdraw and for Substitution of Counsel filed by Appellant’s counsel of record, Thomas R. Smith (the “Motion”). The Motion is granted, as provided below.

Pursuant to 18 U.S.C. § 3006A, the court finds that Appellant is eligible for, and the interests of justice require, the appointment of other counsel to assist with this appeal. As requested, we appoint attorney Megan L. Hayes as counsel for Appellant.

All pleadings filed to date in this appeal may be accessed on the court’s PACER docket. As a reminder, counsel appointed under the Criminal Justice Act (“CJA”) may obtain access to those materials without cost by registering for a CJA counsel account at <http://pacer.psc.uscourts.gov>.

We also direct as follows:

1. Within 10 days of the date of this order, Appellant's former counsel, Mr. Smith, shall transmit copies of all documents in his possession pertinent to this appeal to Ms. Hayes (address: 910 Kearney Street, Laramie, WY 82070; telephone: 307-760-6258; email: mlhayes@tribcsp.com).
2. Also within 10 days of the date of this order, Ms. Hayes shall file and serve an entry of appearance. *See* 10th Cir. R. 46.1.
3. This appeal is perfected. Nevertheless, if Ms. Hayes wishes to supplement the designation of record and/or transcript order form on file in the district court, she is directed to do so within 20 days of the date of this order, providing service copies to this court as necessary.
4. Briefing will begin in due course after the district court transmits the record on appeal.

Entered for the Court,
ELISABETH A. SHUMAKER, Clerk,



by: Lara Smith
Counsel to the Clerk