

FILE COPY

1 Barry J. Baker Sipe
2 Lawyer
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5 (602) 622-0722

6 Pima County Bar No. 2400
7 Arizona State Bar No. 005090
8 Lawyer for Appellant

9 IN THE SUPREME COURT

10 STATE OF ARIZONA

11 STATE OF ARIZONA,)	NO. CR-91-0233-AP
)	
12 Appellee,)	(Pima County Superior Court
)	No. CR-28449)
13 -vs-)	
)	MOTION TO WITHDRAW AND
14 JOSEPH RUDOLPH WOOD, III,)	REQUEST FOR APPOINTMENT OF
)	SUBSTITUTE COUNSEL ON APPEAL
15 Appellant.)	(No hearing requested)

16 Barry J. Baker Sipe, Esq., counsel for Appellant/Cross-
17 Appellee, moves the Court to enter an appropriate order permitting
18 him to withdraw and appointing substitute counsel for Appellant on
19 appeal, based upon the following reasons:

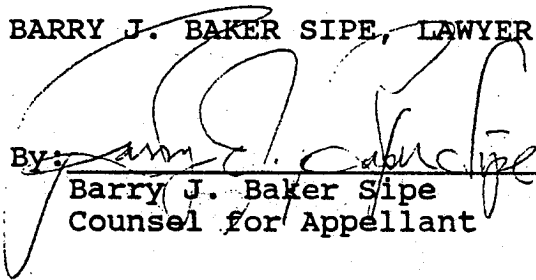
- 20 1. Barry J. Baker Sipe, Esq., has a conflict of interest
- 21 which prevents him from representing Mr. Wood;
- 22 2. Beginning April 6, 1992, Barry J. Baker Sipe will be
- 23 employed with the Pima County Legal Defender's Office; and
- 24 3. The Record on Appeal shows that on September 1, 1989, the
- 25 trial court ordered the Pima County Legal Defender's Office to
- 26 withdraw from representation of Mr. Wood because of a conflict of
- 27 interest due to its prior representation of Debra A. Dietz, the

LAWYER
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1 named victim in Count One of the Indictment, (see, R.O.A., items 1,
2 9-12).

3 RESPECTFULLY SUBMITTED this 19th day of March, 1992.

4 BARRY J. BAKER SIPE, LAWYER

5
6 By: 
7 Barry J. Baker Sipe
8 Counsel for Appellant

9 Copy of the foregoing
10 mailed/delivered this date, to:

11 Paul J. McMurdie, Esq.
12 Crane McClennen, Esq.
13 Arizona Attorney General's Office
14 1275 West Washington
15 Phoenix, AZ 85007

16 Pima County Attorney's Office
17 32 North Stone, #1400
18 Tucson, AZ 85701

19 Joseph Rudolph Wood, III
20 DOC No. 86279
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22 P.O. Box B-86279
23 Florence, AZ 85232