Filed 04/17/2008

# IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA NORTHERN DIVISION

UNITED STATES OF AMERICA	)
VS.	) ) CASE NO. 02:07cr95-WHA
TERRANCE DEANDRE CAFFEY	)

### MOTION TO WITHDRAW AS COUNSEL

Comes now Thomas M. Goggans and shows as follows:

- 1. Judgment as to Terrrance Deandre Caffey was entered in this case on February 27, 2008. (Doc. 101).
- 2. Thomas M. Goggans represented the Caffey in this case through the entry of the judgment.
  - 3. Caffey filed a pro se motion to correct sentence on March 10, 2008. (Doc. 105).
- 4. This Court denied Caffey's pro se motion to correct sentence on March 28, 2008. (Doc. 113).
- 5. Caffey filed a <u>pro se</u> notice of appeal on April 4, 2008. (Doc. 115). In that notice, Caffey stated that he would be claiming ineffective assistance of counsel. Thus, it now appears that, at some point, Thomas M. Goggans will have to take positions adverse to the positions and interests of Caffey.

WHEREFORE, Thomas M. Goggans moves to withdraw as counsel for Terrance Deandre Caffey.

s/ Thomas M. Goggans Ala. State Bar No. 2222-S45-T 2030 East Second Street Montgomery AL 36106

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### **CERTIFICATE OF SERVICE**

I hereby certify that I have on this the 19<sup>th</sup> day of October 2007, electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such to the following: **Leura G. Canary, A. Clark Morris, Tommie Brown Hardwick** and that I have served a copy of the foregoing upon:

Terrace Caffey P.O. Box 2407 Opelika AL 36801

by placing the same in the United States mail, first class postage prepaid and properly addressed on this the 17th day of April, 2008.

/ Thomas M. Goggans