

MISSOURI COURT OF APPEALS  
WESTERN DISTRICT

FILED  
2005 JUL -8 AM 10:07  
MISSOURI COURT OF APPEALS  
WESTERN DISTRICT

KENNETH MIDDLETON, )  
Appellant/Respondent, )  
v. ) WD 65540  
STATE OF MISSOURI, )  
Respondent/Appellant )

MOTION TO WITHDRAW

The State of Missouri by and through Jackson County Assistant Prosecuting Attorney Michael J. Hunt, respectfully requests that this Honorable Court allow Movant to withdraw as the attorney of record for the Respondent/Appellant in the above entitled cause of action. In support of this Motion, Movant states the following:

1. Ms. Bronwyn Werner is currently an Assistant Prosecuting Attorney for Jackson County, Missouri. Ms. Werner previously represented Appellant/Respondent Kenneth Middleton while engaged in the private practice of law prior to her taking a position as an Assistant Prosecuting Attorney for Jackson County, Missouri.

2. Movant has conferred with the Missouri Attorney General's Office regarding the issue of Ms. Werner's previous representation of Appellant/Respondent Kenneth Middleton. In an effort to resolve any conflict of interest in this case, the Missouri Attorney General's Office has indicated that it will be willing to represent the State of Missouri in this appeal. !

WHEREFORE, in an effort to avoid any conflict of interest or appearance of impropriety on the part of the Jackson County, Missouri Prosecuting Attorney's Office,

Movant respectfully requests that this Honorable Court grant it's Motion to Withdraw as Attorney of Record and allow the Missouri Attorney General's Office to proceed as Attorney of Record for the State of Missouri in this case.

Respectfully Submitted,  
Michael D. Sanders  
Prosecuting Attorney  
Jackson County, Missouri



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#### CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was sent via U.S. mail this 8<sup>th</sup> day of July, 2005 to:

Kenneth Middleton  
Crossroads Correctional Center  
115 E. Pence Road  
Cameron, Missouri 64429

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