

UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF IDAHO

UNITED STATES OF AMERICA,

Plaintiff,

v.

PAUL RAYMOND HARVEY,

Defendant.

Case No. 3:11-cr-00194-BLW

ORDER

Acting pro se, Defendant Paul Raymond Harvey filed a document titled Mandatory Judicial Notice Withdrawing Plea Nunc Pro Tunc; and, Dismissal of Case (Dkt. 139). While Harvey's counsel, John Miller, has moved to withdraw (Dkt. 138), this motion has not yet been addressed. Until the motion to withdraw has been resolved, Mr. Miller remains attorney of record for Harvey. The Court will therefore strike Harvey's purported notice to withdraw his guilty plea because Harvey is represented by counsel, and he was given permission to file only pro se pretrial motions. Harvey does not have the authority to file *any* documents at this time.

If the Court were to address Harvey's request to withdraw his guilty plea, it would be denied as the motion appears to be completely frivolous and does not have any basis in law or fact.

ORDER

IT IS ORDERED that the Mandatory Judicial Notice Withdrawing Plea Nunc Pro Tunc; and, Dismissal of Case (Dkt. 139) filed by Defendant Gary Raymond Harvey is STRICKEN.



DATED: February 7, 2013

A handwritten signature in black ink that reads "B. Lynn Winmill". The signature is written in a cursive style and is positioned above a horizontal line.

B. Lynn Winmill
Chief Judge

United States District Court