

*In this Motion to Withdraw, 1. Greg Cummings states that he was retained on May 12, 2011 (this is not true—Greg Cummings was retained two months earlier). 2. Greg Cummings states, “During the course of representing defendant it became clear defendant’s mother had her own idea as to how the case should be defended.”

*Greg Cummings defense was “Trentin Ross.” Trentin Ross gave detectives several different statements. The supposed incriminating statement that Trentin Ross gave was re-stated by a known RACIST and LIAR—who was FIRED and is no longer with LCSO—Det. Don Odham.

*Bottom line—Greg Cummings never UnSealed DeShon’s cell phone records as promised; Never disclosed victims’ autopsy reports as promised; Never filed any Motions; Never deposed any law enforcement officers; The victims’ bodies were found by their mother, 16-year-old brother, and their mother’s girlfriend (significant other). The mother told detectives that she and her son entered the home—Greg Cummings never deposed the victims’ 16-year-old brother. It is believed that the reason why Greg Cummings never deposed the victims’ 16-year-old brother is because their brother gave detectives Vital Information that pointed to SEVERAL other suspects. To include that his brother (the deceased) had recently been given \$400 worth of Fake Money to purchase Drugs. As a criminal defense attorney representing your client in Good Faith—ETHICALLY—why would you Not Depose the victims’ brother? —Greg Cummings never presented or discussed a Defense. Greg Cummings was paid \$29560 to represent DeShon.

*Greg Cummings withheld information from DeShon.

Greg Cummings allowed his loyalty to State Prosecutor Jack Campbell to overshadow his responsibility to ETHICALLY represent DeShon. This is not an opinion—it is a supported FACT.

*Greg Cummings violated several Rules of Professional Conduct.

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT,
IN AND FOR LEON COUNTY, FLORIDA.

STATE OF FLORIDA,

CASE NO. 11CF441, 11CP375

V.

DESHON THOMAS,

Defendant.

C-06
BOB INZER
CLERK CIRCUIT COURT
LEON COUNTY, FLORIDA

FILED

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**MOTION TO WITHDRAW DUE TO CONFLICT AND
APPOINT THE OFFICE OF THE PUBLIC DEFENDER**

Comes now the undersigned attorney and moves this Court for an Order allowing the undersigned to withdraw as attorney of record in the above case(s) and appoint the Office of the Public Defender and would show:

1. On May 12, 2011 the undersigned was retained by the defendant's mother to represent the defendant on two counts of First Degree Murder and Cultivation of Cannabis. At the time the defendant was 17 years old. The undersigned clearly informed the defendant's mother that the defendant was the client and not her.
2. During the course of representing the defendant it became clear that the mother had her own ideas as to how the case should be defended with statements like "we need to meet to make sure we are on the same page" and deciding that the defendant did not need a copy of the discovery when the undersigned had promised the defendant he would get a copy of it. The defendant's mother provided pages and pages of documents and questions for

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the undersigned to review and for later discussion which never took place. The mother went so far as to provided 110 questions to "assist" the undersigned in the deposition of the state's key witness.

3. The undersigned has talked to the defendant three times about his mother's wish to fire me and retain a different attorney. Each time the defendant did not want to fire the undersigned. One the third occasion the defendant felt compelled to give in to his mother's demands because of statements she made to him that if he were to continue with the undersigned as his attorney he would be on his own.

4. On each of the three occasion the undersigned talked to the defendant about the possibility of prison and if that were the final outcome that he would need his family more than me. One the third time this was again discussed and the defendant again said he needed to contact his mother and he would let me know. The next day the defendant asked the undersigned to file a motion to withdraw. At that time the undersigned had no knowledge of the bar complaint filed by the defendant's mother and the defendant never mentioned the complaint.

5. On August 13, 2012 the undersigned received a copy of a complaint filed by the defendant's mother with the Florida Bar alleging she had paid an amount of attorney's fees greater than she actually has, a lack of communication and that the undersigned was not and could not be prepared for trial.

6. On March 12, 2011 a contract for services was signed by defendant's mother requiring an amount as a down payment, monthly payments, a lump sum payment after 12 months and lump sum trial fee payment 30 days before announcing ready for trial.

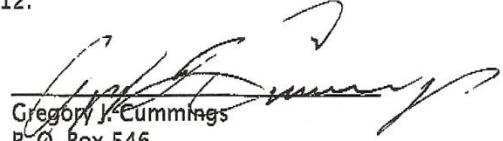
7. The defendant's mother has failed to make payments required in the contract for services and approximately 44% of the fee remains unpaid. It is highly unlikely that the balance of the contracted fees will be paid due to the conflicts mentioned herein. Paragraph 8 of the contract for services allows for the undersigned to withdraw without objection if any portion of the attorney's fee remains unpaid for 15 days.

8. The undersigned has been contacted by two private attorneys and Nancy Daniels about the mother contacting them either directly or indirectly to represent the defendant. The undersigned has talked to all three attorneys and indicated they could talk to the defendant. The mother has inquired directly and through one of the attorneys about returning the fees previously paid.

9. At this time the undersigned believes the defendant, because of his dependence on his mother for support, does not have the ability to pay for an attorney and the undersigned requests that this Court appoint the Office of the Public Defender to represent the defendant.

Wherefore the undersigned asks the court to allow the undersigned to withdraw and appoint the Office of the Public Defender for the defendant.

I hereby certify that a true copy of the foregoing has been furnished to
Jack Campbell, Assistant State Attorney, Leon County Court House, Tallahassee,
Florida this 16 day of August, 2012.


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