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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON
PORTLAND DIVISION

| | | |
|---------------------------|---|----------------------------------|
| UNITED STATES OF AMERICA, |) | Case No. 3:16-CR-00051-BR-09 |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | DECLARATION OF COUNSEL IN |
| |) | SUPPORT OF DEFENDANT’S MOTION TO |
| JASON PATRICK, |) | WITHDRAW AND TO ALLOW SELF |
| |) | REPRESENTATION |
| Defendant. |) | |
| |) | |
| |) | |
| |) | |

The undersigned, Andrew M. Kohlmetz, CJA appointed counsel for the defendant herein, hereby swears and affirms under penalty of perjury that the following is true and correct:

- 1) I am an attorney licensed to practice in the State of Oregon and admitted to practice before this Court.
- 2) I was appointed counsel for defendant, Jason Patrick, in this prosecution, pursuant to the Criminal Justice Act, 18 U.S.C. 3006A by Order of the Honorable Anna J. Brown on February 8, 2016.
- 3) I make this Declaration in support of the attached Motion to Withdraw and to Allow Self-Representation
- 4) Defendant is currently charged by Superseding Indictment dated March 8, 2016, with one count of Conspiracy to Impede Officers of the United States in violation of 18 U.S.C. §

DECLARATION OF COUNSEL IN SUPPORT OF DEFENDANT’S MOTION TO WITHDRAW AND FOR
SELF REPRESENTATION- 1

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372, one count of Possession of Firearms and Dangerous Weapons in Federal Facilities in violation of 18 U.S.C. §§ 930(b) and (2), and one count of Use and Carry of a Firearm in Relation to a Crime of Violence in violation of 18 U.S.C. §§ 924(c)(1)(A) and (2). There are 26 listed defendants under this single Indictment.

5) The defendant is one of the 26 protesters who have been charged with what has been broadly characterized as the occupation of the Malheur National Wildlife Refuge (“MNWR”) in Burns, Oregon. The action which ultimately led to this Superseding Indictment was the occupation of MNWR beginning on January 2, 2016 and continuing for approximately 42 days thereafter. However, the case evolved over the course of many months and has relevant antecedents in other federal districts dating back years. Some of the codefendants are charged in the District of Nevada in the related case of United States v. Cliven Bundy et. al., Case # 2:16-CR-00046.

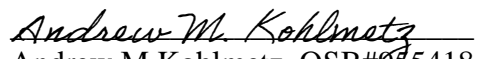
6) Mr. Patrick has requested that I withdraw from his case and that he be allowed to represent himself.

7) Mr. Patrick objects to the appointment of standby counsel on the grounds that it will unduly interfere with his right to self-representation.

8) Mr. Patrick’s request that I withdraw in conjunction with his objection to the appointment of standby counsel are the only ethical issues raised by this request.

9) That I have made the CJA Panel office aware of my request and it is my understanding that they are awaiting the Court’s ruling in this matter before seeking another panel attorney to act as standby counsel herein.

Respectfully submitted under penalty of perjury on this 5th day of May, 2016.


Andrew M Kohlmetz, OSB#035418
Attorney for Defendant

DECLARATION OF COUNSEL IN SUPPORT OF DEFENDANT’S MOTION TO WITHDRAW AND FOR
SELF REPRESENTATION- 2

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