

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

UNITED STATES OF AMERICA,)
)
)
v.)
)
)
JOHNNY REID EDWARDS,)
)
)
)
)

Case No. 1:11-CR-161-1

**WADE M. SMITH’S MOTION FOR PERMISSION TO
WITHDRAW AS COUNSEL FOR DEFENDANT**

Undersigned counsel Wade M. Smith, of the law firm Tharrington Smith, LLP, with the consent of Defendant John Edwards and of co-counsel for Mr. Edwards, respectfully moves this Honorable Court for an order allowing his withdrawal as counsel for the Defendant in this matter.

In support of this motion, undersigned counsel shows unto the Court as follows:

1. Undersigned counsel filed a Notice of Limited Appearance on behalf of Mr. Edwards on June 3, 2011, for the purposes of the arraignment and initial appearance, and subsequently made a general appearance on behalf of Mr. Edwards in open court.
2. The Government has suggested that there may be a conflict relating to undersigned counsel’s representation of Mr. Edwards in this matter.
3. It is therefore possible that it will be necessary for undersigned counsel to testify in the trial of this matter.
4. Defendant John Edwards consents to this Motion.
5. Attorneys from two other firms have entered general appearances in this matter on behalf of Mr. Edwards; therefore, there will be no prejudice to Mr. Edwards if undersigned

counsel is permitted to withdraw. All other counsel who have entered a general appearance in this matter on behalf of Mr. Edwards consent to this Motion.

Accordingly, pursuant to Local Criminal Rule 57.1, which incorporates by reference Local Civil Rule 83.1, undersigned counsel respectfully moves this Court for an Order permitting him, and the law firm Tharrington Smith, LLP, to withdraw as counsel for Defendant John Edwards.

Respectfully submitted, this the 25th day of October, 2011.

/s/Wade M. Smith
Wade M. Smith, NC Bar No. 4075
THARRINGTON SMITH, LLP
209 Fayetteville Street
Post Office Box 1151
Raleigh, North Carolina 27601
Phone: (919) 821-4711
Fax: (919) 829-1583
Email: wsmith@tharringtonsmith.com

Counsel for Defendant Johnny Reid Edwards

CERTIFICATE OF SERVICE

The undersigned certifies that, on October 25, 2011, a copy of the foregoing **WADE M. SMITH'S MOTION FOR PERMISSION TO WITHDRAW AS COUNSEL FOR DEFENDANT** was electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Brian Scott Meyers
U.S. Attorney's Office – EDNC
Terry Sanford Federal Building
310 New Bern Avenue, Suite 800
Raleigh, North Carolina 27601-1461
Telephone: (919) 856-4530
Fax: (919) 856-4487
Email: brian.s.meyers@usdoj.gov

David V. Harbach
U.S. Department of Justice
Public Integrity Section
1400 New York Avenue, NW, Suite 1800
Washington, DC 20005
Telephone: (202) 262-7597
Fax: (202) 514-3003
Email: david.harbach@usdoj.gov

Jeffrey E. Tsai
U.S. Department of Justice
Public Integrity Section
1400 New York Avenue, NW, Suite 1800
Washington, DC 20005
Telephone: (202) 307-0933
Fax: (202) 514-3003
Email: jeffrey.tsai@usdoj.gov

Robert J. Higdon
U.S. Attorney's Office – EDNC
Terry Sanford Federal Building
310 New Bern Avenue, Suite 800
Raleigh, North Carolina 27601-1461
Telephone: (919) 856-4530
Fax: (919) 856-4487
Email: bobby.higdon@usdoj.gov

/s/Wade M. Smith

Wade M. Smith, NC Bar No. 4075

THARRINGTON SMITH, LLP

209 Fayetteville Street

Post Office Box 1151

Raleigh, North Carolina 27601

Phone: (919) 821-4711

Fax: (919) 829-1583

Email: wsmith@tharringtonsmith.com

Counsel for Defendant Johnny Reid Edwards