

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA :**

**v.**

**CRIMINAL NO. 21-CR-028 (APM)**

**JAMES BEEKS**

**:**

**MOTION FOR LEAVE TO WITHDRAW AS STANDBY COUNSEL**

COMES NOW Attorney Nicole Cubbage, standby counsel for defendant JAMES BEEKS, to respectfully move this Honorable Court for the entry of an Order granting leave to withdraw as standby counsel in 21-CR-028-APM. As grounds, the following is stated:

1. Undersigned counsel was first appointed to be Mr. Beek's standby counsel in January of 2023 in anticipation of his upcoming trial and in light of his recent decision to represent himself pro se in this matter.
2. Undersigned counsel entered an appearance as counsel on January 3, 2023. (ECF 810).
3. At the January 20, 2023 hearing in this matter, this Court granted Mr. Beek's motion to Sever and set a new status for this matter to be held on March 3, 2023 at 3:00pm.

4. This Court then granted Mr. Beek's motion to continue that hearing (ECF 873) and a new status date of March 31, 2023 has been set for hearing at 2:00pm.
5. Undersigned counsel has had an emergency medical matter arise that requires her to move permanently to Texas at the earliest date possible.
6. This will require undersigned counsel to shut down her court appointed law practice in the District of Columbia and she will no longer have an office in this area.
7. Undersigned counsel hopes to completely end her law practice in the United States District Court for the District of Columbia by early July and remain only as a paralegal for local counsel on select matters moving forward.<sup>1</sup>
8. Mr. Beeks does not yet have a trial date set in this matter, but it appears a trial date earlier than July of 2023 would be unlikely given the current commitments of government and co-counsel.
9. Mr. Beeks was informed of undersigned counsel's need to withdraw and asked if he wished to continue to use undersigned counsel through the discovery and pre-trial phases of his case (all work that can be done

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<sup>1</sup> Counsel has one retained attorney representation matter set for trial May 1, 2023 (21-cr-708-RCL) and will be trying that case with co-counsel, Kira Anne West. Additionally, undersigned counsel is prepared to sit at trial, if needed, in any other matters for which she is currently an appointed paralegal, even after the July 2023 closing of her law practice in D.C.

remotely from Texas), but that undersigned counsel could not sit with him at trial in The United States District Court for the District of Columbia under the current circumstances. Mr. Beeks indicated that he wished to have new standby counsel appointed at this time.

WHEREFORE, the foregoing reasons, and for such other reasons as may appear just and proper, undersigned counsel respectfully requests this Honorable Court for entry of an Order granting leave to withdraw as standby counsel for the defendant in case 21-cr-028 and asks that new standby counsel be appointed to represent Mr. Beeks at this time.

Respectfully Submitted,

/s/ Nicole Cabbage

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Standby Counsel for Mr. Beeks.

Certificate of Service

I certify that a copy of the forgoing was filed electronically for all parties of record on this 27<sup>th</sup> day of March, 2023.

/s/

Nicole Cabbage  
Standby Counsel for Mr. Beeks