

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA

ATLANTA DIVISION

|                          |   |                                |
|--------------------------|---|--------------------------------|
| UNITED STATES OF AMERICA | ) |                                |
|                          | ) |                                |
| v.                       | ) |                                |
|                          | ) | Case No. 1:22-cr-00171-MLB-RDC |
|                          | ) | Third Superseding              |
| CARL DELANO TORJAGBO,    | ) |                                |
| a/k/a                    | ) |                                |
| KARL LUCIUS DELANO.      | ) |                                |
|                          | ) |                                |
| _____                    | ) |                                |

**MOTION TO WITHDRAW AS COUNSEL OF RECORD**

COMES NOW, L. Burton Finlayson, attorney for the Defendant, Karl Lucius Delano, a/k/a Carl Delano Torjagbo, and moves to withdraw as counsel of record. In support of this motion, Attorney Finlayson shows as follows:

1) The Third Superseding Indictment charged Mr. Delano in Count 1 with bank fraud in violation of 18 U.S.C. §§ 1344 and 2. Counts 2 and 3 charged wire fraud in violation of 18 U.S.C. §§ 1343 and 2. Counts 4 through 6 charged concealment money laundering in violation of 18 U.S.C. §§ 1956(a)(1) B)(I) and 2. Counts 7 through 10 charged transactional money laundering in violation of 18 U.S.C. §§ 1957 and 2. (Doc. 198).

2) On February 24, 2025, Magistrate Judge Cannon appointed the undersigned to represent Mr. Torjagbo. (Doc. 170).

3) A jury trial was conducted before the District Court on July 21, 2025, through and July 25, 2025. The jury convicted Mr. Delano on all counts. (Doc. 226).

Sentencing is currently scheduled for November 3, 2025. (Doc. 228).

4) On or about September 8, 2025, Mr. Delano filed a *pro se* motion / petition pursuant to Title 28 USC § 2255. The § 2255 is docketed as Case Number 1:25-cv-5168-MLB-RDC. (Doc. 1 of 1:25-cv-5168). Attorney Finlayson does not and cannot represent Mr. Delano in the § 2255 action, as it includes numerous allegations of constitutional ineffective assistance of counsel (“I.A.C.”) against Attorney Finlayson. Mr. Delano is currently without counsel in his § 2255.

5) Given the nature and content of Mr. Delano’s allegations against the undersigned in his § 2255, counsel must move to withdraw. Should the Court desire more explicit details or reasons for this motion, counsel will provide them in an *ex parte* setting or format. Given the nature and content of Mr. Delano’s allegations in his § 2255 it appears the attorney-client relationship is irretrievably

broken, and the undersigned counsel should no longer represent Mr. Delano.

6) To be clear, Mr. Delano does not wish to represent himself in this criminal case, 1:22-cr-00171.

7) On today's date, September 15, 2025, the undersigned met with Mr. Delano to confirm his wishes with respect to the filing of his § 2255. Counsel notified Mr. Delano both orally and in writing that he would have to move to withdraw given the nature of Mr. Delano's allegations. (See attached letter, Exhibit 1).

WHEREBY, Attorney L. Burton Finlayson asks that he be allowed to withdraw and that new CJA counsel be appointed for Mr. Delano.

Dated: This 15<sup>th</sup> day of September, 2025.

Respectfully submitted,

s/ L. Burton Finlayson

L. BURTON FINLAYSON

Attorney for Defendant

Georgia Bar Number: 261460

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**CERTIFICATE OF SERVICE**

This is to certify that I have this day electronically filed the above motion to withdraw as counsel of record with the Clerk of Court using the CM/ECF system which will automatically send email notifications of such filing upon all counsel of record including the following:

Ms. Kelly Connors, and  
Mr. Nicholas Evert  
Assistant United States Attorneys  
600 U.S. Courthouse  
75 Ted Turner Drive, S. W.  
Atlanta, Georgia 30303

DATED: This 15<sup>th</sup> day of September, 2025.

**s/ L. Burton Finlayson**

L. BURTON FINLAYSON  
ATTORNEY FOR DEFENDANT  
State Bar Number: 261460