

UNITED STATES OF AMERICA)
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 v.) No. 2:22-CR-76
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 CHAD BRANDON THOMAS)

This matter is before the Court on Defendant’s *pro se* Motion to Proceed *Pro Se* with Elbow Counsel and to Withdraw Plea Agreement [Doc. 41], Counsel for Defendant’s Motion to Withdraw [Doc. 48], and the Government’s Motion for Release of CJA Documents [Doc. 49]. The parties appeared before the Court for a hearing on these Motions on April 10, 2023. Based on the representations made by Defendant and his counsel during the hearing, and for the reasons stated on the record, Counsel’s Motion to Withdraw [Doc. 48] is **GRANTED**.

The parties are required to attend a hearing on **June 20, 2023, at 9:00 a.m.** If Defendant elects to proceed with his Motion to Withdraw Plea Agreement, the Court will hear argument on the Motion at that time. Ms. Bolton is **ORDERED** to provide Defendant with copies of all relevant documents related to his Motion to Withdraw Plea Agreement, including but not limited to the Information [Doc. 1], Plea Agreement [Doc. 3], and Change of Plea Hearing Transcript [Doc. 50].

However, if upon review of the record and discussion with counsel Defendant wishes to proceed to sentencing and withdraw his Motion to Withdraw, he must notify the Court **on or before May 10, 2023**, and the Court will conduct his sentencing on June 20 instead. If Defendant proceeds to sentencing, objections to the Presentence Investigation Report must be filed **on or before May 16, 2023**.

Additionally, the Government's Motion for Release of CJA Documents [Doc. 49] is **DENIED**. The Government seeks billing materials and invoices, namely detailed time entries, from Defendant's former counsel relevant to the negotiation of Defendant's plea agreement. Volume 7 of the Guide to Judiciary Policy, which sets forth the guidelines for administering the CJA and related statutes, explicitly states that "[d]ocumentation submitted in support of, or attached to, payment may not be disclosed at any time." Guide to Judiciary Pol'y, Vol. 7 § 520.20(b) (2022), <https://www.uscourts.gov/rules-policies/judiciary-policies/cja-guidelines/chapter-5-ss-520-disclosure-information-payments>; *see also United States v. Davis*, No. 5:14-CR-240-BR, 2022 U.S. Dist. LEXIS 39735, at *10 (citing to § 520.20(b) when denying disclosure of CJA billing records). Even if the Government was primarily seeking the fee amounts related to former counsel's representation, which it is not, the Court still would have to "redact any detailed information on the payment voucher provided by defense counsel to justify the expenses to the court." 18 U.S.C. § 3006A(d)(4)(B)(i). Accordingly, the Court cannot disclose the billing entries the Government seeks, and so the Government's Motion [Doc. 49] is **DENIED**.

So ordered.

ENTER:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE