

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED STATES OF AMERICA,
Plaintiff,

v.

CASE NO.: 6:21-cr-00141-RBD-NWH

EMMET BOWENS
Defendant.

_____/

COUNSEL'S MOTION TO WITHDRAW

The undersigned counsel for the Defendant, Emmet Bowens ("Mr. Bowens"), hereby moves to withdraw from representation of the Defendant in this cause. In support thereof, Counsel would show:

STATEMENT OF FACTS

Relevant Procedural History

1. On November 10, 2021, a federal grand jury in the Middle District of Florida returned an indictment charging Mr. Bowens with two counts of wire fraud, in violation of 18 U.S.C. § 1343 (Counts One and Two), and four counts of money laundering, in violation of 18 U.S.C. § 1957 (Counts Three through Six). Doc. 1.
2. On December 2, 2021, in Atlanta, Georgia, Mr. Bowens was detained and eventually arrested in connection with a warrant issued in this case. Docs. 7, 9.
3. On the same date of his arrest, December 2, 2021, Mr. Bowens had a Rule 5(c)(3) initial appearance before a U.S. Magistrate Judge in the Northern District of Georgia.

Doc. 7. At this hearing, the Magistrate Judge set conditions of release for Mr. Bowens. *Id.* at 4, 7.

4. On December 16, 2021, Mr. Bowens appeared in the Middle District of Florida, where this Court held an in-district initial appearance. Doc. 10. At this hearing, the Court appointed the Federal Public Defender to represent Mr. Bowens. Doc. 13.
5. Two months after their appointment, the Federal Public Defender, citing Mr. Bowens request for their discharge and “underlying confidential facts” filed a Motion to Withdraw. Doc 34
6. On February 22, 2022, the Court granted the Federal Defender’s Motion and appointed CJA Counsel, Andrew Searle. Doc 34; Doc 35
7. Mr. Searle diligently represented Mr. Bowens for approximately one year and filed numerous motions on his behalf, but eventually was also instructed by Mr. Bowens to withdraw. Citing underlying “confidential facts” and ethical considerations, on March 8, 2023, Mr. Searle filed a Motion to Withdraw. Doc 95. Because Mr. Bowens was under an Order finding him incompetent, the Court did not rule at that time upon Mr. Searle’s Motion to Withdraw. Doc 78; Doc 98
8. On December 26, 2024, the Court granted Mr. Searle’s Motion to Withdraw and appointed CJA attorney, Charles Taylor. Doc 115.
9. On or about February 28, 2025, Mr. Bowens retained private counsel, Brian Shrader, who filed a Notice of Appearance on his behalf. Doc 119.

10. On March 15, 2025, CJA attorney, Charles Taylor filed a Motion to Withdraw citing a “very hostile” meeting with Mr. Bowens with marked profanity and threats to report him for fraud to the Florida Bar. Doc 119.
11. On September 30, CJA attorney Charles Taylor renewed his Motion to Withdraw. Doc 144. On the same day, Counsel Brian Shader citing irreconcilable differences, also filed a Motion to Withdraw, Doc 145
12. On October 2, 2025, the Court granted CJA counsel Charles Taylor and private counsel Brian Shrader’s Motions to Withdraw and appointed the undersigned counsel as CJA attorney for Mr. Bowens. Doc 148; Doc 149 and Doc 151.
13. That during his month long representation of Mr. Bowens, Counsel has appeared on his behalf at the hearing on the determination of his competency to proceed, reviewed the docket, reviewed all of the previously filed motions, reviewed all of the previously filed status reports, reviewed the psychological reports provided on competency, reviewed the Pre-Trial Services reports, began the review of the voluminous discovery and began preparation for the Bond Revocation Hearing presently scheduled for October 30, 2025. Further, Counsel has also visited and conferred with Mr. Bowens on three separate occasions in the Seminole County Jail.
14. On October 27th, 2025, Counsel met for the third time with Mr. Bowens in the Seminole County Jail to begin a review of discovery, a review of Pre-Trial Services violation reports and to prepare for the pending bond revocation hearing.
15. During the October 27th meeting, Mr. Bowens entered the interview room with a hostile demeanor, refused to shake Counsel’s hand, refused to sit at the interview

table, immediately informed the undersigned Counsel that he was corrupt, a profanely labeled attorney and that the undersigned would not be representing him.

16. In response to Mr. Bowen's questions about the validity of Pre-Trial Services Petition for revocation, Counsel attempted to share with Mr. Bowens documentation of the Endorsed Order directing the issuance of the warrant for his arrest. Mr. Bowens took the documentation of the Endorsed Order, immediately tore it up, went into an animated violent rage and began to aggressively tear up all of the file folders and documents Counsel had brought for his review. Mr. Bowens violent rage and destruction of Counsel's files only ended with the intervention and cuffing of Mr. Bowens by the Seminole County Corrections Officers.

MEMORANDUM OF LAW

The Florida Rules of Professional Conduct require an attorney to withdraw from the representation of a client if "the lawyer is discharged." See Rule 4- 1.16(a)(3) of the Rules Regulating the Florida Bar. Moreover, the Rules provide that an attorney may withdraw from representing a client if, *inter alia*, "the client insists upon taking action that the lawyer considers . . . imprudent, or with which the lawyer has fundamental disagreement;" or "other good cause for withdrawal exists." See Rule 4-1.16(b)(2) and (5) of the Rules Regulating the Florida Bar. At the request of Mr. Bowens and upon careful consideration of the extraordinary facts underlying this motion, the undersigned counsel believes that he is ethically required to file this motion seeking to withdraw from further representation of Mr. Bowens. The Middle District of Florida

Local Rules provide, in relevant part: If a lawyer appears, the lawyer cannot without leave of court abandon, or withdraw from, the action.

(1) To withdraw, a lawyer:

(A) must notify each affected client fourteen days before moving to withdraw **unless the client consents to withdrawal**, and

(B) must file a motion to withdraw that includes:

(i) a certification that the lawyer has provided fourteen days' notice to the client or **that the client consents to withdrawal** . . . *See* Rule 2.02(c), M.D. Fla. Local Rules (emphasis added).

Here, the fourteen-day notification period is not required as the undersigned certifies that Mr. Bowens consents to the undersigned's withdrawal. Indeed, Mr. Bowens has instructed the undersigned that he will never represent him. This motion to withdraw was promptly filed after the undersigned was informed by Mr. Bowens that the undersigned had been discharged.

Further, given Mr. Bowens conduct in Counsel's presence the undersigned believes that he is personally and ethically bound to file the instant motion. The undersigned further believes that this withdrawal can be accomplished without material adverse effect on the interests of Mr. Bowens.

CERTIFICATION OF CONFERRING WITH OPPOSING COUNSEL

Pursuant to the Court's Criminal Scheduling Order (Doc. 16), the undersigned certifies: that counsel unsuccessfully attempted to confer with opposing counsel,

however because of the underlying facts and circumstances, Counsel believes in good faith that a prompt filing is imperative.

CONCLUSION

WHEREFORE, the undersigned counsel, Roger L. Weeden, Esq., respectfully requests that this Court grant the undersigned leave to withdraw as counsel for Emmet Bowens and that a determination of future representation be made at a subsequent hearing.

Respectfully submitted, this 28th day of October 2025.

/s/ Roger Weeden

Roger L. Weeden

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that undersigned electronically filed the foregoing with the Clerk of Court (CM/ECF) by using the CM/ECF system which will send a notice of electronic filing to all counsel this 28th day of October 2025.

/s/ Roger L Weeden

Attorney for Defendant

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