

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,
Plaintiff.

v.

Case No. 5:23-cv-00393

\$168,849.42 SEIZED FROM FIRST COMMUNITY BANK, ACCOUNT NUMBER XX2781;
\$299,604.40 SEIZED FROM FIRST COMMUNITY BANK, ACCOUNT NUMBER XX2660;
\$2,333,832.28 FROZEN FROM ALLY INVESTMENT, ACCOUNT NUMBER XX-X6295-11;
\$45,000 FROZEN FROM ALLY INVESTMENT, ACCOUNT NUMBER XX-X6295-11.

MOTION TO WITHDRAW

On December 9, 2024, this Court issued a Show Cause Order directing the United States to advise on or before December 16, 2024, whether this case should be dismissed, or alternatively, for the Court to be informed by the parties of their views as to the necessary case events and intervals to bring the case to Judgement. (Doc. #12).

The United States filed a Response on December 16, 2024. (Doc. #19). In its response, the United States summarizes the procedural history of the case. Most specifically, the United States recounts to history of the representation of Claimant Ross Bailey, and the Notice of Appearance filed on December 10, 2024, by new counsel, R. Brandon Johnson and John D. Wooten, and the filing on the same day of a Motion to Stay, (Doc. #10).

Based upon the actions taken in related cases, and the retention of new counsel by the Claimant, the undersigned counsel respectfully requests to be formally relieved.

s/ John A. Carr
John A. Carr, Esq. (WVSB #10461)
John A. Carr Attorney at Law, PLLC
179 Summers Street, Ste 209
Charleston, WV 25301
304-344-4822
E-mail: jcarr@jcarrlaw.com

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

UNITED STATES OF AMERICA,
Plaintiff.

v.

Case No. 5:23-cv-00393

\$168,849.42 SEIZED FROM FIRST COMMUNITY BANK, ACCOUNT NUMBER XX2781;
\$299,604.40 SEIZED FROM FIRST COMMUNITY BANK, ACCOUNT NUMBER XX2660;
\$2,333,832.28 FROZEN FROM ALLY INVESTMENT, ACCOUNT NUMBER XX-X6295-11;
\$45,000 FROZEN FROM ALLY INVESTMENT, ACCOUNT NUMBER XX-X6295-11.

CERTIFICATE OF SERVICE

I hereby certify that the Claimant Ross Bailey's "**MOTION TO WITHDRAW**" was
served by ECF notification to

Christopher R. Arthur (W.Va. Bar No. 9192)
Assistant United States Attorney
300 Virginia Street, East, Room 4000
Charleston, WV 25301
Phone: 304-345-2200
Email: chris.arthur@usdoj.gov
Counsel for Defendant United States of America

John D. Wooten, Jr. (W.Va. Bar No. #10571)
R. Brandon Johnson (W.Va. Bar No. #5581)
WOOTEN, DAVIS, HUSSELL & JOHNSON, PLLC
P.O. Box 2600
Beckley, 25802-2600

on December 16, 2024.

s/ John A. Carr
John A. Carr, Esq. (WVSB #10461)
John A. Carr Attorney at Law, PLLC
179 Summers Street, Ste 209
Charleston, WV 25301
304-344-4822

E-mail: jcarr@jcarrlaw.com