

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

UNITED STATES OF AMERICA	)	
	)	
Plaintiff,	)	Case No. 20-CR-327-JED
	)	
	)	
v.	)	
	)	
ADAM WINSTON JAMES,	)	
	)	
Defendant.	)	

ORDER

On January 20, 2021, the Court held a hearing on what it thought was a change of plea for Defendant Adam James, but instead, Defendant told the Court that he wished to retain new counsel. The Court granted Defendant's request. On February 3, 2021, Donte Mills filed a Request for Admission Pro Hac Vice (Doc. 18) because he was not licensed to practice in this Court. The Court denied the request because Mr. Mills did not follow the Court's local rules for requesting temporary admission. Namely, Mr. Mills did not file a motion for admission pro hac vice, but rather, merely filed the request for admission form that is supposed to be attached to his motion. *See* LGnR4-2(g).

This was an honest mistake, and the Court simply asked Mr. Mills to correct it. *See* (Doc. 19). After Mr. Mills failed to correct his mistake, the Court entered a minute order directing Mr. Mills to file a motion with his request for admission pro hac vice "if he intends to proceed in this matter as counsel for defendant." (Doc. 24). Mr. Mills has not responded to that minute order, nor has he answered or returned the multiple phone calls the Court has made to him over the past month regarding this issue.

Accordingly, this Court directs Mr. Mills to comply with its local rules for admission pro hac vice within seven (7) days of the filing of this order. If Mr. Mills does not comply, the Court will exercise its authority under 18 U.S.C. § 3162 to sanction him. *See* 18 U.S.C. § 3162 (authorizing, among other things, the court to impose a fine of up to “25 per centum of the compensation to which [defendant’s counsel] is entitled” for “willfully fail[ing] to proceed to trial without justification”). Further, if the problem persists, the Court will exercise its authority to replace Mr. Mills with new counsel. *See United States v. Mendoza-Salgado*, 964 F.2d 992, 1015 (10th Cir. 1992) (“[T]he court must respect a defendant’s choice of retained counsel “unless it would unreasonably delay proceedings or burden the court with retained counsel who was incompetent or unwilling to abide by court rules or ethical guidelines.” (quoting *United States v. Collins*, 920 F.2d 619, 626 (10th Cir. 1990))).

SO ORDERED, this 9th day of April, 2021.



JOHN E. DOWDELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT