IN THE UNITED STATED DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

UNITED STATES OF AMERICA

V. **CR.NO.: 22-79-TFM**

JASON CARL PEARS

MOTION TO WITHDRAW AS ATTORNEY FOR DEFENDANT

Comes Barre C. Dumas (Dumas), attorney for Defendant, and moves the Court to allow him to withdraw from his representation of the Defendant. Dumas was appointed by the Court to represent the Defendant pursuant to the Criminal Justice Act and Dumas' service as a CJA Panel attorney.

This request to withdraw is based upon a potential for conflict of interest. In his civil practice Dumas serves as general counsel for DiRecManagement, Inc. (DRM) an Alabama domestic corporation that functions as an accounts receivable collection agency. On or about June 3, 2021, DRM received a subpoena from the Grand Jury which indicted the Defendant in this case. The subpoena sought information concerning a financial transaction that took place between DRM and the Defendant. DRM conferred with Dumas as to how to respond to the subpoena. Dumas gave advise to DRM in that regard. Dumas did not open a file and did not sign off on the response of DRM to the Grand Jury. The concern is that Dumas has represented and advised a potential witness in the Government's case against the

Defendant regarding a matter related to the case. Dumas currently continues to serve as general counsel of that potential witness.

Dumas has disclosed this possible conflict to the Defendant, the attorney for the Government and at the status conference, to Magistrate Judge Cassidy. After the status conference, an informal opinion was obtained from the Alabama State Bar. It is the informal opinion of the Office of General Counsel that a conflict exists. Even with full disclosure and the possibility of consents, waiver of conflicts in criminal matters are generally disfavored by the Bar.

Dumas has discussed this situation with the Defendant and Defendant has expressed his understanding of Dumas' position that this motion must be filed.

WHEREFORE, Barre C. Dumas requests permission from the Court to withdraw from his representation of the Defendant. Defendant requests that he be appointed counsel to replace Mr. Dumas.

s/Barre C. Dumas
Barre C. Dumas
Attorney for Jason Carl Pears

4320 Downtowner Loop South
Mobile, Al. 36609
251-338-1020

Certificate of Service

I certify that I have served a copy of the above Motion to Withdraw on the Defendant by placing a copy of same in the USPO, first class postage prepaid and addressed as follows:

Mr. Jason Carl Pears
302 Fly Creek Avenue
Fairhope, AL. 36532

S/Barre C. Dumas
Barre C. Dumas, Attorney
for Defendant