

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA,)
 Plaintiff,)
)
 vs.) No. 02 CR 1050 -3
)
 JOSEPH LOMBARDO) Hon. James B. ZageI
 Defendant.)

FILED

JUN 06 2005

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

**MOTION TO APPOINT A FEDERAL DEFENDER PROGRAM ATTORNEY TO
REPRESENT CHARLES N. MICELI**

Movant Rick Halprin represents Defendant Joseph P. Lombardo. Movant comes before this Honorable Court and requests that the Court enter an order to appoint an attorney of the Federal Defender Program to represent Charles N. Miceli. In support whereof Movant states as follows:

1. Movant opened his mail on June 6, 2005, and found an Amicus Curiae Brief and Motion for Leave to File an Amicus Curiae Brief authored pro se by Charles N. Miceli presently an inmate at Martin Correctional Institute in Indiantown, Florida.
2. A subsequent conversation with AUSA Mitchell Mars confirmed that the Court has directly received the same documents.
3. After examining earlier correspondence from Mr. Miceli dated May 21, 2005, in a two page letter which is attached hereto as Exhibit "1" in which Miceli asks for an attorney-client call (page 2 of Exhibit "1").

4. In addition, enclosed with Miceli's letter of May 21, 2005, Halprin also found a two-page letter dated February 12, 2001 authored by ATF Special Agent John Rotunno, sent to Pinellas County Judge Mark Shanes in Clearwater, Florida. This letter is attached here as Exhibit "2". Of particular relevance to the relief requested is the third paragraph of this letter which reads as follows:

Mr. Miceli has provided information to me that has been independently corroborated by both documents and witnesses. This information details over 40 violent crimes involving arsons, bombings, extortion, intimidation and murder. ATF has identified a network of organized crime figures as being involved in these crimes. ATF has positively corroborated Mr. Miceli as having intimate contacts and associations with high-ranking individuals of organized crime both in Chicago, Illinois, New York, and Florida.

Wherefore, Movant in view of the circumstances and in the interest of justice requests that this Court enter an order to appoint the Federal Defender's Office with respect to Mr. Miceli's request as set out in Exhibit "1".

Respectfully Submitted,



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