

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

February 25, 2020

Christopher M. Wolpert
Clerk of Court

UNITED STATES OF AMERICA,

Plaintiff - Appellee,

v.

NICKIE NATHANIAL RICO,

Defendant - Appellant.

No. 20-1050
(D.C. No. 1:19-CR-00145-PAB-1)
(D. Colo.)

ORDER

Before **TYMKOVICH**, Chief Circuit Judge.

This matter is before the court on attorney Jesse A. Glassman's *Motion to Withdraw as Appointed Counsel*, in which Mr. Glassman requests leave to withdraw as counsel for appellant Nickie Nathaniel Rico and states that Mr. Rico desires the appointment of new appellate counsel. The district court made the requisite finding of eligibility for the appointment of counsel under the Criminal Justice Act, 18 U.S.C. § 3006A.

Upon consideration, the court grants the motion to withdraw. Pursuant to the Criminal Justice Act, the court appoints Mr. Glassman to represent Mr. Rico for purposes of this appeal, effective *nunc pro tunc* to the date Mr. Glassman filed the notice of appeal on Mr. Rico's behalf, and terminates that appointment with the entry of this order. Mr. Glassman shall have no continuing obligations in this appeal except to: (1) ensure that he

has made appropriate arrangements through the district court's eVoucher system for payment of the transcripts he ordered on February 21, 2020; (2) forward to substitute counsel any materials in his possession that are pertinent to this appeal; and (3) transmit a copy of this order to Mr. Rico.

The court now appoints CJA Panel Member Jimmy Lance Hopkins to represent Mr. Rico for purposes of this appeal. *See* 18 U.S.C. § 3006A. Mr. Hopkins' contact information is:

Jimmy Lance Hopkins
J. Lance Hopkins
219 West Keetoowah
Tahlequah, OK 74464
Telephone: 918-456-8603
Email: lance.hopkins@LunaLunaLLP.net
Fax: 918-456-1407

On or before March 6, 2020, Mr. Hopkins shall enter an appearance in this appeal on behalf of Mr. Rico. If warranted, Mr. Hopkins may file—on or before March 16, 2020: (1) a supplemental designation of record; and/or (2) a supplemental transcript order form. The district court shall wait until at least March 17, 2020 before transmitting the record on appeal.

The court directs its Clerk to transmit a copy of this order to the Clerk of the U.S. District Court for the District of Colorado.

Entered for the Court
CHRISTOPHER M. WOLPERT, Clerk



by: Lisa A. Lee
Counsel to the Clerk