

in addition to his previously-designated lawyer, Clayman R. Norfleet.

No grounds for reconsideration of my previous ruling are apparent, and accordingly, I will not grant the Motion for Pro Hac Vice Admission, since it is premised on hybrid representation.¹ The defendant will be permitted to have Mr. Lemieux present in the courtroom to advise him, if he desires.

Even if the defendant had changed his mind and desired Mr. Lemieux to represent him without hybrid representation, the fact that a new attorney has appeared in the case two weeks prior to trial would not justify a continuance in the trial. In his motion, Mr. Lemieux states that he has represented the defendant “as his personal attorney for the past two years.” (Mot. for Pro Hac Vice Admis. ¶ 4.) The defendant had his initial appearance in the case on August 31, 2000, at which time he advised the court that he was seeking counsel. Thereafter, he appeared with counsel, Mr. Norfleet, at a pretrial conference and motions hearing on October 6, 2000. No grounds have been asserted that would permit a continuance at this stage of the case because of the attempted late appearance of new counsel.

Likewise, the fact that the defendant has noted appeals from the denial of various pretrial motions does not justify a continuance. None of the motions present

¹ The motion by Mr. Lemieux recites that he desires to be associated in this case with the defendant (Mot. for Pro Hac Vice Admis. ¶ 3) and the proposed order submitted states that he be allowed “to act as co-counsel and to present evidence to the court in the above styled case.”

substantial or close questions, nor does their denial fall within any exception to the statute restricting appeals to final judgments. *See* 28 U.S.C.A. § 1291 (West 1993); *United States v. Lawrence*, 201 F.3d 536, 537 (4th Cir. 2000) (discussing final judgment rule). To continue the trial because the defendant has filed notices of appeal would be an invitation for indefinite delay in the resolution of this criminal case.

Accordingly, it is **ORDERED** that the Request for Continuance and Motion for Pro Hac Vice Admission are denied.

ENTER: January 19, 2001

United States District Judge