

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Criminal Case No. 10-cr-00164-REB-01

UNITED STATES OF AMERICA,

Plaintiff,

v.

1. RICHARD SANTIAGO,
a/k/a Chuco,

Defendant.

ORDER ASSIGNING COUNSEL FOR DEFENDANT RICHARD SANTIAGO

Blackburn, J.

The matter is before me *sua sponte* for consideration of assignment of counsel for defendant, Richard Santiago, under 18 U.S.C. § 3005. I enter this order to assign two counsel to represent the defendant.

By Indictment [#1]¹ filed March 24, 2010, defendant was charged in Count 1 with the capital offense of murder by a federal prisoner, 18 U.S.C. § 1118, and in Count 2 with the capital offense of murder in the first degree, 18 U.S.C. § 1111(a) and 2(a). Both offenses are punishable potentially by a sentence to death. Thus, the provisions of 18 U.S.C. § 3005 are apposite.

18 U.S.C. § 3005 requires in relevant part:

Whoever is indicted for treason or other capital crime shall be allowed to make his full defense by counsel; and the court before which the defendant is to be tried, or a judge thereof, shall promptly, upon the defendant's request, assign 2 such

¹ “[#1]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s electronic case filing and management system (CM/ECF). I use this convention throughout this order.

counsel, of whom at least 1 shall be learned in the law applicable to capital cases, and who shall have free access to the accused at all reasonable hours. In assigning counsel under this section, the court shall consider the recommendation of the Federal Public Defender organization

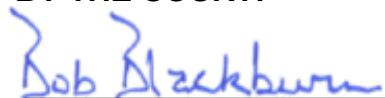
On April 8, 2010, Raymond P. Moore, Federal Public Defender for the Districts of Colorado and Wyoming, tendered his recommendation for the assignment of counsel in discharge of his duties and responsibilities under 18 U.S.C. § 3005. I have reviewed and considered his recommendations carefully. I find and conclude that his recommendations should be approved, adopted, and implemented by order of the court.

THEREFORE, IT IS ORDERED as follows:

1. That subject to their acceptance of appointment, Michael Root and Ellen M. Barry are assigned as counsel to represent the defendant, Richard Santiago, in this criminal case;
2. That the formal entry of appearance on behalf of the defendant shall constitute the acceptance of appointment contemplated and required in paragraph 1, *supra.*; and
3. That this order shall be served on Michael Root and Ellen M. Barry as soon as practicable.

Dated April 20, 2010, at Denver, Colorado.

BY THE COURT:


Robert E. Blackburn
United States District Judge