

FILED
 4/30/13 11:25
 DATE: TIME: *AM/PM*
 By *[Signature]*
 CLERK, FSM SUPREME COURT
 YAP
 TRIAL DIVISION

IN THE SUPREME COURT OF THE
 FEDERATED STATES OF MICRONESIA
 TRIAL DIVISION - STATE OF YAP

FEDERATED STATES OF MICRONESIA)	CRIM.CASE NO.2013-3500
))
))
Plaintiff,))
)	MOTION TO APPEAR PRO HAC
)	VICE
vs.))
))
TONY RUTMAG))
))
Defendant.))
))

Now Comes defendant Tony Rutmag represented by the FSM Public Defender's Office, Yap State Branch, by and through his counsel Nathaniel Linglemog. Counsel for defendant now respectfully requests the Honorable Court to grant this pro hac vice motion to appear on behalf of the above mentioned defendant. The counsel for the defendant hereby moves the Honorable Court to grant this motion based on the following points and authorities.

POINTS AND AUTHORITIES

Rule 47 of the Criminal Procedure requires that:
'An application to the court for an order shall be by motion. A motion other than one made during a trial or hearing shall be in writing unless the court permits it to

be made orally. It shall state the grounds upon which it is made and shall set forth the relief or order sought...'

Rule I of the Rule for Admission to Practice sets forth the requirements for a counsel to appear before the Federated States of Micronesia Supreme Court. In particular, Rule I (b) among other requirements allows for a counsel to appear under the supervision of an attorney. Rule IV also provide the instances whereby the court may consider a counsel appearance on a case by case basis.

Based on the above mentioned rules, counsel for the defendant requests this Honorable Court to grant the pro hac vice motion. The counsel for the defendant will appear under the supervision of Julius J. Sapelalut. Mr. Sapelalut is an active member of the FSM Bar and is in good standing. Mr. Sapelalut unfortunately will not be available in person to supervise the counsel for the defendant due to the timing of the case and transportation issues. There are no other available attorneys to supervise the counsel for the defendant. Furthermore, defendant has agreed that he be represented by his counsel while his counsel will be under the supervision of Mr. Sapelalut telephonically. For these reasons, counsel for the defendant respectfully requests the Honorable Court to grant the pro hac vice motion

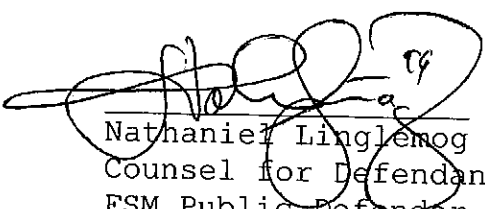
whereby the counsel for the defendant will be under the supervision of Mr. Sapelalut telephonically.

Therefore, under aforementioned Rules, the counsel for the defendant hereby moves the Honorable Court to grant the motion.

Respectfully submitted on this 30th day of April, 2013.

Julius Sapelalut
Supervisor for Defendant's
FSM Public Defender Office
P.O. B 174
Palikir, Pohnpei, FM 96941

Aaron L. Warren
Plaintiff's Counsel
FSM Attorney General
Office
P.O. Box PS 111
Palikir, Pohnpei
FM 96941

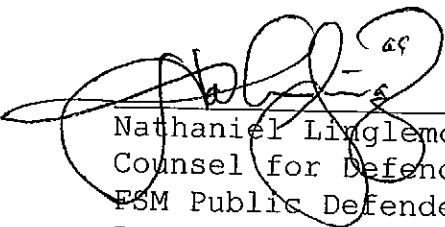

Nathaniel Linglemog
Counsel for Defendant
FSM Public Defender Office
P.O.Box 425
Colonia, Yap, FM 96943

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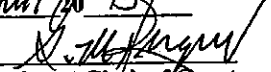
Affidavit

I, Nathaniel Linglemog, duly swear and attest the following are true and correct.

1. That I am of legal age and of sound mind;
2. I am a citizen of the Federated States of Micronesia residing in Yap State;
3. I hold a Bachelor of Laws from the University of the South Pacific School of Law;
4. I am an active member of the Yap State Bar as well as the Chuuk State Bar and in good standing;
5. That I have consulted with Mr. Julius J Sapelalut (who is the FSM Chief Public Defender and an active member of the FSM Bar and is in good standing) and he has agreed that I appear under his supervision telephonically;
6. That I have not been convicted of any crime or involved in any pending criminal charges or found guilty of violation of professional ethics and responsibilities; and
7. I understand that if any of the forgoing is not true I may be charged with perjury.

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Nathaniel Linglemog
Counsel for Defendant
FSM Public Defender
P.O.Box 425 Colonia
Yap, FM 96943

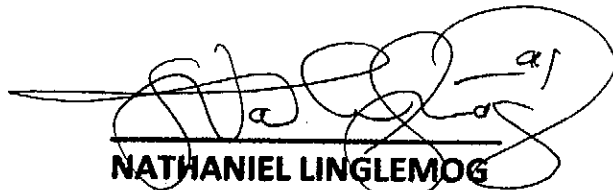
Personally appeared Nathaniel Linglemog
Subscribed and sworn to before me this
30th day of April 2013


Assistant Clerk of Court
FSM Supreme Court

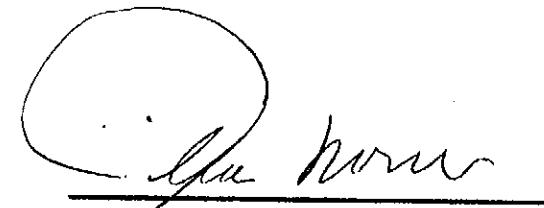
OATH OF OFFICE

**I, NATHANIEL LINGLEMOG, HEREBY SOLMENLY AFFIRM THAT I WILL
UPHOLD THE CONSTITUTION AND LAWS OF THE STATE OF CHUUK; THAT I WILL
REPRESENT MY CLIENTS TO THE UTMOST OF MY ABILITY; THAT I WILL
FAITHFULLY ABIDE BY THE CODE OF PROFESSIONAL RESPONSIBILITY; AND THAT
I WILL, AT ALL TIMES, CONDUCT MYSELF IN A MANNER TO UPHOLD THE
DIGNITY OF THIS COURT AND THE HONOR OF THE LEGAL PROFESSION.**

SO, HELP ME GOD.


NATHANIEL LINGLEMOG
FSM PUBLIC DEFENDER, CHUUK

**This oath was performed and attested to before me this 16thst day of
November, 2012.**

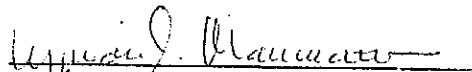

Camillo Noket
Chief Justice

THE STATE COURT OF YAP

OATH OF ADMISSION TO THE YAP STATE BAR FOR NATHANIEL LINGLEMOG

ADMINISTERED BY CHIEF JUSTICE CYPRIAN J. MANMAW

"I, NATHANIEL LINGLEMOG, HEREBY SOLEMNLY SWEAR THAT I WILL UPHOLD THE CONSTITUTION AND LAWS OF THE STATE OF YAP; THAT I WILL REPRESENT MY CLIENT TO THE UTMOST OF MY ABILITY; THAT I WILL FAITHFULLY ABIDE BY THE CODE OF PROFESSIONAL RESPONSIBILITY; AND THAT I WILL AT ALL TIMES CONDUCT MYSELF IN A MANNER TO UPHOLD THE DIGNITY OF THIS COURT AND THE HONOR OF THE LEGAL PROFESSION."

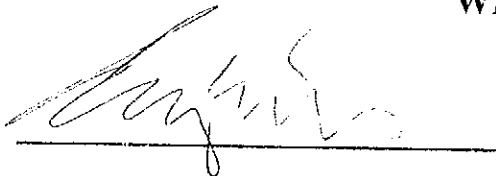

CYPRIAN J. MANMAW
Chief Justice

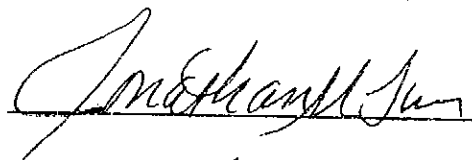

NATHANIEL LINGLEMOG

Date: 3/16/12

Date: 3/16/12

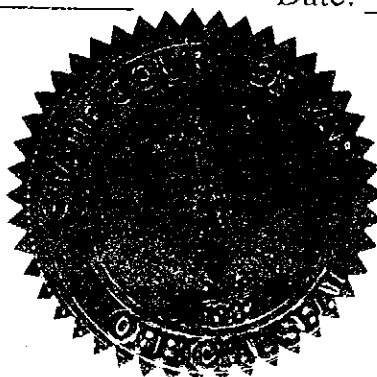
WITNESSES:





Date: 3/16/12

Date: 3/16/12



The State Court of the State of Yap

Having exhibited satisfactory evidence of good moral character and qualifications for the practice of law,

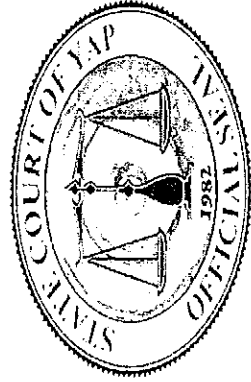
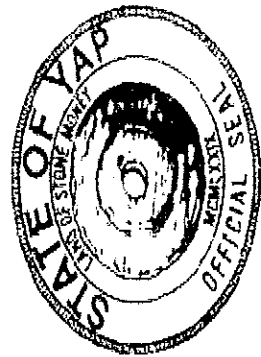
NATHANIEL LINGLEMOG, ESQ.

is hereby admitted to practice as

ATTORNEY AT LAW

in the State Court of the State of Yap in accordance with the laws and customs of the State.

In testimony whereof this license is issued on this 16th day of March, 2012.



Cyprian J. Manmaw

Cyprian J. Manmaw
Chief Justice



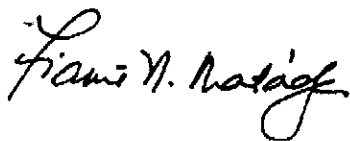
THE UNIVERSITY OF THE
SOUTH PACIFIC

By the authority of the Senate

Nathaniel Linglemog

Having pursued the prescribed program and having satisfied the requirements of the Statutes has this day, 9 December 2011, been duly admitted to the Degree of

Bachelor of Laws



Pro-Chancellor



Vice-Chancellor

