



Wisconsin State Public Defender

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Nicholas L. Chiarkas
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August 14, 2006

Leonard Kachinsky
103 W College Ave Ste 1010
Appleton, WI 54911-5782

Re: SPD certification

Dear Mr. Kachinsky:

I have received and reviewed a report from the Director of the Assigned Counsel Division, Deborah Smith. She is recommending that you be decertified from the Class A felony appointment list and the Trial 3 – Class B – D felony list. Her recommendation is based on your failure to provide competent representation in the Brendan Dassey case. You have confirmed to her that you allowed law enforcement to interview your client on May 13, 2006 in your absence. You have confirmed to her that you were not present at the interview on May 13, 2006 because you had to attend army reserve training that weekend. It is difficult to imagine a situation when it would be appropriate to allow a client in a serious felony case to give a statement in the attorney's absence. To allow such an interview in this case is indefensible.

I am removing you from Class A felony and Trial 3 certifications. It is no longer appropriate for us to appoint you to these types of case. Judge Fox will be provided with a copy of this letter. You have the right to appeal this decision pursuant to Administrative Code PD 1.06(2). A written notice of appeal must be received by me within 30 days.

Sincerely,

Nicholas L. Chiarkas
Wisconsin State Public Defender