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2 District of Arizona
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7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE DISTRICT OF ARIZONA

10 United States of America,
11 Plaintiff,
12 vs.
13 Joseph M. Arpaio, *et al.*,
14 Defendants.
15

CR-16-01012-PHX-SRB
NOTICE OF RECUSAL

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17 The purpose of this Notice is to inform the Court that the United States Attorney's
18 Office for the District of Arizona is recused from handling this matter. Attached is the
19 formal notice of recusal from the Executive Office for United States Attorneys, in which
20 Associate Deputy Attorney General (ADAG) Andrew Goldsmith concluded that the entire
21 United States Attorney's Office for the District of Arizona is recused from the investigation
22 and potential prosecution of Maricopa County Sheriff Joseph M. Arpaio, Maricopa County
23 Sheriff's Office (MCSO) Chief Deputy Gerard Sheridan, MCSO Captain Steve R. Bailey,
24 and attorney Michele M. Iafrate for criminal contempt and perjury. ADAG Goldsmith
25 assigned this matter to the U.S. Department of Justice, Criminal Division, Public Integrity
26 Section.

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Respectfully submitted this 26th day of August, 2016.

JOHN S. LEONARDO
United States Attorney
District of Arizona

s/ Elizabeth A. Strange

ELIZABETH A. STRANGE
First Assistant U.S. Attorney

Copy of the foregoing and attachment served electronically
or by other means this 26th day of August, 2016, to:

Andrew Melvin McDonald, Jr., Esq.
Email: melmcdonald2@gmail.com
Attorney for Joseph M. Arpaio

Lee Stein, Esq.
Barry Mitchell, Esq.
Email: barry@mitchellsteincarey.com
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Attorneys for Gerard Sheridan and Steven R. Bailey

Dale Danneman, Esq.
Email: ddanneman@lrrc.com
Attorney for Michelle Iafrate

MEMORANDUM FOR:

John S. Leonardo
United States Attorney
District of Arizona

Elizabeth Strange
First Assistant United States Attorney
District of Arizona

Leslie R. Caldwell
Assistant Attorney General
Criminal Division

David Bitkower
Principal Deputy Assistant Attorney General and Chief of Staff
Criminal Division

Raymond Hulser
Chief
Public Integrity Section

THROUGH: Andrew Goldsmith
Associate Deputy Attorney General
Office of the Deputy Attorney General

Jay Macklin
General Counsel
Executive Office for United States Attorneys

FROM: Jacqueline Schesnol
Assistant General Counsel
General Counsel's Office
Executive Office for United States Attorneys

RE: Office-Wide Recusal of the District of Arizona from the Investigation and Potential Prosecution of Maricopa County Sheriff's Office (MCSO) Sheriff Joseph M. Arpaio, MSCO Chief Deputy Gerard Sheridan, MCSO Captain Steve R. Bailey, and Michele M. Iafrate.
(GCO File No. REC-16-3623)

THIS IS FORMAL NOTICE that Andrew Goldsmith, Associate Deputy Attorney General (ADAG) has approved the recusal of the entire United States Attorney's Office for the District of Arizona from the investigation and potential prosecution of the MCSO Sheriff Joseph M. Arpaio, MSCO Chief Deputy Gerard Sheridan, MCSO Captain Steve R. Bailey, and attorney Michele M.

Iafrate, for criminal contempt and perjury. The ADAG authorized this recusal in accordance with [United States Attorneys' Manual \(USAM\) 3-2.170](#) and [United States Attorneys' Procedures \(USAP\) 3-2.170.001](#) based upon existing conflicts of interest or the appearance of conflicts of interest pertaining to the matter.

ADAG Goldsmith has assigned this matter to the Department of Justice, Criminal Division, Public Integrity Section and, pursuant to [28 U.S.C. § 515](#), has directed and authorized the Assistant Attorney General of the Criminal Division (AAG), and any successors to that position, to conduct any kind of legal proceeding, civil or criminal, including grand jury proceedings and proceedings before committing magistrate judges, which the United States Attorney for the District of Arizona is authorized by law to conduct regarding this matter. The AAG shall report to, and act under the direction of, the Deputy Attorney General with respect to this matter. In addition to indicating the title of "Assistant Attorney General of the Criminal Division," the signature block used in connection with this case should reflect that the AAG is "Attorney for the United States, Acting Under Authority Conferred by [28 U.S.C. § 515](#)." Should the need arise in this matter to certify an appeal pursuant to [18 U.S.C. § 3731](#), or should action be contemplated that is statutorily required to be accomplished by a United States Attorney, please contact the General Counsel's Office for further analysis and assistance.

In the event that the Public Integrity Section wants to use AUSAs from the District of Arizona to assist it in this matter, it must submit a request to General Counsel's Office, EOUSA, that includes (1) a detailed justification of the need for the use of an AUSA, and (2) a detailed statement of the role the AUSA would play. ADAG Goldsmith retains the authority to approve/disapprove any such request.

Each office should communicate directly with the other concerning transfer of information related to this matter in accordance with [USAP 3-2.170.001\(6\)\(C\)\(2\)\(b\)\(3\)](#). The point of contact for the District of Arizona is First Assistant United States Attorney Betsy Strange, who can be reached at (520) 620-7300, and the contact person in the Criminal Division is Chief Ray Hulser, Public Integrity Section who can be reached at (202) 514-1412.