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August 25, 2015

Mr. Garland F. Byers, Jr.  
Assistant District Attorney  
N.C. State District Attorney's Office  
PO Box 70  
Rutherfordton, N.C. 28139

**VIA FAX AND MAIL: 828-288-6111**

RE: State v. Bartley, 14 CR 2679

Dear Mr. Byers:

I am in receipt this day of your motion to revoke bond. I was saddened to receive the same and had hoped to have a more professional relationship with you. Your motion is without merit on its face. If my client had accepted your plea offer, which is in writing, you were agreeing to probation which is contrary to this bond revocation motion. Do you really intend to tell the Judge that it is a coincidence that approximately a week after he turned your plea down that you decided to file a motion to revoke his bond? You may want to consult the Rules of Professional Conduct on a prosecutor abusing his calendaring authority for these type of shenanigans.

As you know, I do not even have the discovery in this case, my client has been out on this bond for many months, and until he rejected your plea offer, this type motion was never mentioned. I recognize you called me on two occasions last week but unfortunately I have been in Court every day and returned no calls to anyone. As a courtesy to you, my cell phone number is 828-430-0739. It seems to me that you are taking this case very personally.

I would request that you withdraw your motion and we discuss your concerns over the phone. I have a custody trial set for Thursday morning (that is peremptorily set) and am unable to come to Rutherford County. If you do not withdraw your motion, I will have my client there although I find a fax of this motion and a call from your assistant as improper notice. If these are the type of games you play, then I am disappointed as I was impressed with the way you conducted yourself thus far at least with regards to your treatment of me. Perhaps you should recuse yourself from this case?

Sincerely,



Robert K. Denton

RKD/dm  
pc: client  
pc: Court file