

DANIEL A. EIGERMAN  
Attorney at Law  
260 Madison Avenue  
Sixteenth Floor  
New York, New York 10016

Of Counsel:  
Jeffrey Marcus

Tel.: 212/ 213-6866  
Fax: 212/ 532-6400

September 19, 2012

Re: Benjamin Cunningham v.  
DUSM Sean McClusky, DUSM  
Thomas Ballard, DUSM Nicholas  
Ricigliano, DUSM Manny Purl,  
DUSM Jerry Sanseverino, and  
NYPD Detective Mary Halpin

No. 11-1328

Mr. Jeffrey Atkin  
Supervisor of New Cases  
United States Supreme Court  
U.S. Supreme Court Building  
3035 V Street N.E.  
Washington, D.C. 20018

Dear Sir:

Pursuant to Supreme Court Rule 9, I hereby withdraw my appearance as attorney for the petitioner in the above referenced petitioner for a writ of certiorari. The petitioner, Mr. Benjamin Cunningham, of 2429 Southern Boulevard, Bronx, New York 10458-6508, will proceed on a pro-se basis.

A copy of this letter is sent this day by first class mail to respondent's counsel, Donald B. Verrilli, Jr., Solicitor General, at United States Department of Justice, Office of the Solicitor General, Washington, D.C. 20530.

Respectfully,

/ \_\_\_\_\_

Daniel A. Eigerman