

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

TIMOTHY WILLIAMS,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 2:07cv742-MEF
)	(WO)
UNITED STATES OF AMERICA,)	
)	
Respondent.)	

ORDER ON MOTION

Petitioner has filed a motion requesting that this court enter an order dismissing attorney James McCauley Smith as his counsel so that he may proceed *pro se* in further proceedings on his 28 U.S.C. § 2255 motion. (Doc. No. 77.) The court does not consider it appropriate to relieve counsel of representation in this matter until after expiration of the time for filing any objections to the court’s Recommendation entered on August 18, 2009. However, Petitioner will also be permitted to file additional timely objections to the Recommendation should he choose to do so.

Petitioner (Doc. No. 77) has also requested a copy of the transcript of the evidentiary hearing held on August 3, 2009. However, no official transcript of that hearing has yet been generated. Further, Petitioner has not set forth a valid basis establishing his need for a transcript of the evidentiary hearing at this time.

Accordingly, and for good cause, it is ORDERED that

1) Petitioner's motion for an order dismissing James McCauley Smith as his counsel is DENIED at this time; and

2) Petitioner's motion for a copy of a transcript of the evidentiary hearing is DENIED.

The Clerk of the Court is DIRECTED to provide Petitioner with copies of any further pleadings or orders entered in this case.

Done, this 27th day of August, 2009.

/s/ Susan Russ Walker

SUSAN RUSS WALKER

CHIEF UNITED STATES MAGISTRATE JUDGE