IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF ARIZONA

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Beehive Stud Rockers LLC,

No. CV-23-00243-PHX-JAT

ORDER

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v.

Knoebel Construction Incorporated,

Defendant/Counterclaimant.

Plaintiff/Counterdefendant,

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Pending before the Court is Plaintiff/Counterdefendant's counsel's motion to withdraw. (Doc. 34). Such withdrawal would leave the Limited Liability Company "pro se". However, corporations and other unincorporated associations must appear in court through an attorney. *D-Beam Ltd. P'ship v. Roller Derby Skates, Inc.*, 366 F.3d 972, 973-74 (9th Cir. 2004). The reason that these entities cannot be represented by a *pro-se* litigant is because a non-attorney's privilege to appear on his own behalf is a privilege that is personal to himself. *Pope Equity Trust v. Stradley*, 818 F.2d 696, 697 (9th Cir. 1987). A *pro-se* litigant has no authority to appear on behalf of, or represent, others. *Id.*

The Court will not allow counsel to withdraw, but leave this case open on the docket with an unrepresented entity. Therefore, Plaintiff/counterdefendant must obtain substitute counsel, or the complaint and answer to the counterclaim will be stricken. Upon striking the complaint, the case will be dismissed as to all of Plaintiff's claims. Upon the striking of the answer, counterclaimant can move for default on the counterclaim.

Therefore,

IT IS ORDERED that the motion to withdraw (Doc. 34) is denied for failing to comply with Local Rule Civil 83.3 (it neither contains the consent of the client, nor was it served on the client). If the motion to withdraw is refiled, Plaintiff/counterdefendant has 30 days from the filing of the motion to obtain substitute counsel. If no substitute counsel is obtained, the complaint and answer to the counterclaim will be stricken.

Dated this 13th day of May, 2024.

James A. Teilborg Senior United States District Judge