

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
FORT SMITH DIVISION

UNITED FINANCIAL CASUALTY COMPANY

PLAINTIFF

v.

Case No. 2:12-CV-02154

KENNETH SHANE SHELTON d/b/a SHANE
SHELTON TRUCKING; and JESSA ANDERSON

DEFENDANTS

ORDER

Currently before the Court are two Motions¹ (Docs. 21-22) by Robert L. Langdon, Brett Emison, and Jessica Agnelly to Withdraw as Counsel of record for Defendant Jessa Anderson.

The Court notes that the Certificates of Service for each Motion appear to be deficient in that no method of delivery has been denoted. However, Plaintiff's counsel Roy Gene Sanders is registered with the CM/ECF system, and will have received electronic notice of defense counsel's motions, and the Court finds that any technical deficiency of the certificates of service is not fatal to the instant Motions. Furthermore, although defense counsel have also listed Richard N. Watts as having been served, it does not appear that Mr. Watts has appeared as counsel of record in this matter. Therefore, any deficient service as to Mr. Watts is immaterial to the procedural validity of defense counsel's motions. As the Clerk has entered default against Defendant Kenneth Shane Shelton, no service is required on that separate Defendant. Fed. R. Civ. P. 5(a)(2).

Ms. Anderson, in addition to being represented by the attorneys currently requesting withdrawal, is also represented by Phillip J. Duncan and Richard Lee Quintus, who will remain as counsel in this case. The Court, being well and sufficiently advised, finds that the Motions, to the

¹ The two motions appear to be identical, except one is signed by Jessica Agnelly and the other is signed by Brett Emison. Both request withdrawal of all three attorneys.

extent they each seek separate relief (Docs. 21-22) should be GRANTED, and Robert L. Langdon,² Brett Emison, and Jessica Agnelly are permitted to withdraw as counsel for separate Defendant Jessa Anderson. The Clerk of Court is directed to remove their names from the list of attorneys who receive notices of electronic filings in this case.

IT IS SO ORDERED this 2nd day of November, 2012.

P. K. Holmes, III

P.K. HOLMES, III
CHIEF U.S. DISTRICT JUDGE

² Although Robert Langdon moved to appear *pro hac vice* in this matter, and his motion was granted by the Court on August 22, 2012, it does not appear that Mr. Langdon ever actually entered his notice of appearance in this matter. To the extent that Mr. Langdon may be deemed to have appeared in this matter and now moves to withdraw that appearance, however, the Court grants his motion to withdraw.