

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
HARRISON DIVISION

MELVIN M. HELMS

PLAINTIFF

v.

Civil No. 3:12-cv-03158-JRM

CAROLYN W. COLVIN, Commissioner of
Social Security Administration¹

DEFENDANT

ORDER

On December 10, 2012, Plaintiff filed a Complaint pursuant to 42 U.S.C. § 405(g), seeking judicial review of a decision of the Commissioner of the Social Security Administration. ECF No. 1. Frederick Spencer is Plaintiff's attorney of record. On July 12, 2013, Mr. Spencer filed a Motion to Withdraw as counsel. ECF No. 11. In his motion, Mr. Spencer states that Plaintiff requested that he withdraw as counsel and has since severed communication with Mr. Spencer's office. For this reason, he states that it is not practical to continue as counsel for Plaintiff.

Mr. Spencer's Motion to Withdraw is GRANTED. As such, Plaintiff's appeal brief is no longer due on July 15, 2013, and Plaintiff will be advised of the new deadline at a future time. Mr. Spencer is directed to send a copy of this order to Plaintiff's address and to provide the Court with proof of service. Plaintiff has fourteen (14) days from the date he receives said letter to acquire new counsel or to advise the Court that he will proceed *pro se*. Should Plaintiff fail to comply within the required period of time, his complaint will become subject to summary dismissal for failure to obey a court order.

¹ On February 14, 2013, Carolyn W. Colvin became the Acting Commissioner of Social Security. Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Carolyn W. Colvin has been substituted for Commissioner Michael J. Astrue as the defendant in this suit.

IT IS SO ORDERED on this 16th day of July 2013.

/s/ J. Marschewski

HONORABLE JAMES R. MARSCHEWSKI
CHIEF UNITED STATES MAGISTRATE JUDGE