

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 10-9249 ODW (MRW)	Date	September 3, 2013
Title	Meeks v. Gonzalez		

Present: The Honorable	Michael R. Wilner
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Veronica McKamie

n/a

Deputy Clerk

Court Reporter / Recorder

Attorneys Present for Petitioner:

Attorneys Present for Respondent:

n/a

n/a

Proceedings: (IN CHAMBERS) ORDER IMPOSING SANCTIONS

Attorney Harrison filed a status report in response to the Court’s latest order to show cause. (Docket # 49.) In the report, Attorney Harrison generally explains that a new attorney will be applying “forthwith” to replace Mr. Harrison as Petitioner’s attorney in this federal action. Mr. Harrison also explains that he “recently” received information suggesting that Petitioner is actually innocent of the criminal charge against him, and that the lawyer was attempting to obtain a declaration from a co-defendant to verify this information. (Docket # 49 at 1-2.) The “actual innocence” explanation is taken virtually word-for-word from a status report that Mr. Harrison filed in January 2013. (Docket # 46.)

In the OSC, the Court directed Petitioner’s attorney to provide information regarding the status of the case, state why the Court should not impose a monetary sanction on him, and certify that Mr. Harrison “personally consulted with Mr. Meeks to inform his client” regarding counsel’s indifferent representation on him in the federal action. (Docket # 48 (OSC).) Mr. Harrison failed to address these issues in his submission. He also failed to file his statement in the form of a sworn declaration as set forth in the Court’s order.

Mr. Harrison’s response to the Court’s Order – the third OSC issued in this long-dormant action (Docket # 35, 43, 48) – is clearly deficient. Moreover, as explained in the Court’s earlier orders, his failure to pursue the action or abide by this Court’s nominal status report requirements – during the pendency of the stay that Petitioner requested – has caused the Court to devote inordinate resources to monitoring the action.

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Therefore, IT IS ORDERED that Attorney Harrison will pay a sanction of \$500 to the Clerk of the Court by or before September 30, 2013. Furthermore, the Court will not take up consideration of any substitution motion until the sanction is fully paid. Unless and until the sanction is paid, Attorney Harrison will remain Petitioner's attorney of record and subject to this Court's plenary disciplinary function.