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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RANDALL E. ELLIS,

Plaintiff,

v.

STEVEN CAMBRA, JR., et al.,

Defendants.

CASE NO. 1:02-cv-05646-AWI-SMS PC

ORDER DIRECTING PLAINTIFF’S
COUNSEL OF RECORD TO PREPARE AND
FORWARD A SUBSTITUTION OF
ATTORNEY FORM THAT COMPLIES WITH
LOCAL RULE 182(g) TO PLAINTIFF

(Doc. 145)

_____ /

Plaintiff Randall E. Ellis (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.

On March 4, 2010, Plaintiff Randall E. Ellis filed a motion seeking to terminate his representation by counsel of record, Anthony David Prince, Esq., and to restore Plaintiff to pro se status. (Doc. 141.) On March 5, 2010, an order issued denying Plaintiff’s motion since a substitution of attorney form, signed by both Plaintiff and Mr. Prince, is required to terminate their a representation relationship. (Doc. 142.) In that same order, Mr. Prince was ordered to: prepare a substitution of attorney form, substituting himself out and returning Plaintiff to pro se status; sign the substitution of attorney form; and send it to Plaintiff within ten (10) days of the date of that order for Plaintiff to sign and file with the Court. (*Id.*) Mr. Prince did not comply with that order such that an Order to Show Cause issued on May 12, 2010 which required a response and explanation by Mr. Prince on or before May 27, 2010. (Doc. 144.) On May 27, 2010, Mr. Prince filed his response indicating that a personal/familial emergency had caused his lack of compliance with the March 5, 2010 order, and attaching copies a form that Mr. Prince sent to Plaintiff substituting himself in pro

1 se in place of Mr. Prince. (Doc. 145-2.) However, the notice that Mr. Prince sent to Plaintiff does
2 not comply with subsection (g) of Local Rule 182 (based on Fed. R. Civ. P. 83) which requires that
3 a substitution of attorney form shall set forth the full name and address of the individual substituting
4 in for the attorney and shall be signed by the withdrawing attorney, the new attorney (if any), and the
5 client and shall state the words "IT IS SO ORDERED" with spaces designated for the date and
6 signature of the Judge affixed at the end of the document.

7 Accordingly, Mr. Prince is HEREBY ORDERED to prepare a substitution of attorney form
8 that complies with Local Rule 182(g), substituting himself out and returning Plaintiff to pro se status.
9 Mr. Prince is further ORDERED to sign the substitution of attorney form and send it to Plaintiff
10 within ten (10) days of the date of this order for Plaintiff to sign and file it with the Court. Mr.
11 Prince will be able to obtain his copy of the fully executed substitution of attorney form via the
12 CM/ECF system when Plaintiff files it with this Court.

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14 IT IS SO ORDERED.

15 **Dated: June 2, 2010**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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