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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

DAVID L. DAVIS,

Plaintiff,

v.

KINGS COUNTY PROBATION and  
DOES 1 to 50 inclusive,

Defendants.

CASE NO. 1:10-cv-01953-AWI-SMS

ORDER GRANTING GUBLER, KOCH,  
DEGN & GOMEZ, LLP, LEAVE TO  
WITHDRAW AS COUNSEL FOR PLAINTIFF  
(Doc. 22)

ORDER DIRECTING CLERK TO SERVE  
PRO SE PLAINTIFF

ORDER VACATING SETTLEMENT  
CONFERENCE

On February 14, 2012, Gubler, Koch, Degn & Gomez, LLP, counsel for Plaintiff, moved to withdraw as counsel, stating that Plaintiff and counsel were in serious and irreconcilable disagreement on case strategy. The Court heard the motion on March 21, 2012. Thomas W. Degn appeared telephonically as counsel to Plaintiff; Michelle Sassano appeared telephonically on behalf of Defendant. Plaintiff David L. Davis appeared telephonically on his own behalf. Having considered the matters addressed at the hearing and all written materials submitted, the Court grants counsel’s motion to withdraw.

Local Rule 83-182(d) provides, in pertinent part, “Withdrawal as attorney is governed by the Rules of Professional Conduct of the State Bar of California, and the attorney shall conform to the requirements of those Rules.” California’s rules require the notice of motion and declaration to be served on the client and all other parties who have appeared in the case. CRC 3.1362(d). Counsel served all parties with the notice of motion to withdraw.

1 Plaintiff David L. Davis is advised that failure to take appropriate legal action may result  
2 in serious legal consequences. The Court strongly advises Plaintiff to consider obtaining new  
3 counsel or other legal assistance. In view of Plaintiff's stated intent to secure alternate counsel,  
4 the settlement conference scheduled for May 16, 2012 at 10:00 a.m. before Judge Snyder is  
5 VACATED. All other dates shall remain unchanged until Plaintiff, proceeding *pro se*; his new  
6 counsel; or Defendant request an informal scheduling or status conference.

7 Plaintiff has advised the Court that telephone messages may be left for him at 559-587-  
8 9855 until he has installed telephone service in his new home. Plaintiff is directed to advise the  
9 Court of his new telephone number within seven (7) days of the installation of service.

10 The Motion to Withdraw as Counsel for Plaintiff David L. Davis, brought by Gubler,  
11 Hoch, Degn & Gomez, LLP, is hereby GRANTED. The Clerk of Court is directed to amend the  
12 docket to reflect same, until he retains new counsel, Plaintiff David L. Davis shall proceed *pro*  
13 *se*, and to direct this order and all relevant notices and filings to Mr. Davis at his current address  
14 as follows:

15 **David L. Davis**  
16 **850 Greenfield Avenue**  
17 **Hanford, CA 93230**  
18 **559-587-9855**

19 IT IS SO ORDERED.

20 **Dated: March 21, 2012**

21 **/s/ Sandra M. Snyder**  
22 **UNITED STATES MAGISTRATE JUDGE**