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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

MARK S. SOKOLSKY,
Plaintiff,
vs.
STATE OF CALIFORNIA, et al.,
Defendants.

1:13-cv-02044-LJO-GSA-PC
ORDER DENYING SUBSTITUTION OF
ATTORNEYS
(ECF Nos. 92, 93.)
ORDER FOR CLERK TO REFLECT THAT
PLAINTIFF IS PROCEEDING PRO SE

Mark S. Sokolsky (“Plaintiff”) is a civil detainee proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983.

On January 27, 2018, Attorney Charles Kelly Kilgore, of the Law Offices of Charles Kelly Kilgore, submitted a proposed order substituting himself as attorney for Plaintiff Mark S. Sokolsky and adding himself to the court record as Plaintiff’s attorney. (ECF Nos. 92, 93.) Attorney Kilgore also filed objections to the court’s January 8, 2018, findings and recommendations on Plaintiff’s behalf. (ECF Nos. 94, 95.)

II. SUBSTITUTION OF ATTORNEYS

Plaintiff has not indicated whether he intends to substitute Attorney Charles Kilgore to represent him in this action. However, should this be the case, Plaintiff may not substitute an

1 attorney in this manner. Plaintiff is presently proceeding *in propria persona*.¹ For Plaintiff to
2 substitute an attorney in place of himself as attorney of record, Plaintiff must submit a
3 substitution of attorneys document to the Court, setting forth the full name and address of the
4 new attorney, and signed by Plaintiff (as the withdrawing attorney and client) and the new
5 attorney. Local Rule 182(g). "All substitutions of attorneys shall require the approval of the
6 Court, and the words '**IT IS SO ORDERED**' with spaces designated for the date and signature
7 of the Judge affixed at the end of each substitution of attorneys." Id.

8 In the event that Plaintiff intends to retain his *in propria persona* status and continue
9 representing himself, his address of record shall reflect his address of residence. There is no
10 Federal Rule of Civil Procedure or Local Rule allowing service of Court and other legal
11 documentation at an address other than a *pro se* litigant's actual address. Local Rule 131, Local
12 Rule 182(f), and Local Rule 183(b) require *pro se* litigants to inform the Court of their
13 addresses and to keep the Court informed of any change in their addresses.

14 **III. CONCLUSION**

15 Based on the foregoing, IT IS HEREBY ORDERED that:

- 16 1. The substitution of Attorney Charles Kilgore in place of Plaintiff, as Plaintiff's
17 attorney of record, is DENIED; and
18 2. The Clerk of Court is DIRECTED to:
19 (1) Reflect Plaintiff's status as a *pro se* litigant on the court's docket;
20 (2) Change Plaintiff's address of record to:

21 Mark S. Sokolsky
22 CO-000459-8
23 Coalinga State Hospital (5003)
24 P.O. Box 5003
25 Coalinga, CA 93210-5003

26 and

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¹A litigant proceeding *in propria persona*, or *pro se*, is one who represents himself in a court proceeding without the assistance of a lawyer. Black's Law Dictionary, 1256, 1258 (8th ed. 2004).

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(3) Serve a copy of this order on:

Charles Kelly Kilgore, Esq.
Law Office of Charles Kelly Kilgore
9025 Wilshire Blvd., 5th Floor
Beverly Hills, CA 90211

IT IS SO ORDERED.

Dated: January 29, 2018

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE