

1
2
3
4
5
6
7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 ALBERT YOUNG,

11 Plaintiff,
12 vs.

No. 2:03-cv-0951 FCD JFM PC

13 PETER BRESLER, et al.,

14 Defendant.

ORDER

15 Defendants' motion for summary judgment was noticed for hearing on February
16 12, 2009 at 11:00 a.m. before the undersigned. However, on January 8, 2009, plaintiff filed a
17 request to terminate his present counsel and asked the court to appoint new counsel to represent
18 him.

19 Because there has been a breakdown in the relationship between plaintiff and his
20 attorney of record, plaintiff's request will be partially granted. Plaintiff's counsel will be
21 substituted out as attorney of record for plaintiff and plaintiff will be returned to his former pro se
22 status. Plaintiff's request for the appointment of new counsel will be denied.

23 Accordingly, plaintiff will be granted an additional twenty days in which to file an
24 opposition to defendants' renewed motion for summary judgment. Good cause appearing, the
25 matter will be taken off calendar and the court will take the motion under submission without
26 oral argument once the motion is fully briefed.

1 IT IS HEREBY ORDERED that:

2 1. Plaintiff's January 8, 2009 request to terminate counsel (#137) is granted;

3 2. Norman Newhouse is substituted out as plaintiff's counsel of record; plaintiff
4 is returned to pro se status and now represents himself in propria persona;

5 3. Plaintiff's request for appointment of new counsel is denied;

6 4. The hearing set for February 12, 2009 is vacated; and

7 5. Within twenty days from the date of this order, plaintiff shall file an opposition
8 to the motion for summary judgment; defendants' reply shall be filed ten days thereafter.

9 Plaintiff is cautioned that failure to file an opposition will result in a recommendation that the
10 motion be granted.

11 DATED: February 10, 2009.

12
13 
14 UNITED STATES MAGISTRATE JUDGE

15 /001; young.vac
16
17
18
19
20
21
22
23
24
25
26