

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LUIS VALENZUELA RODRIGUEZ,
Plaintiff,
v.
JAMES TILTON, et al.,
Defendants.

No. 2:08-cv-1028 GEB AC P

ORDER

Plaintiff is a state prisoner proceeding with a civil rights action pursuant to 42 U.S.C. § 1983. Counsel was appointed for the limited purpose of reviewing the case and record, seeking any additional discovery necessary to oppose summary judgment, and responding to any renewed motion for summary judgment. ECF No. 206. Counsel now seeks to withdraw from representing plaintiff and requests that the court appoint another attorney to represent plaintiff. ECF No. 220. Counsel cites irreconcilable differences that prevent her from ethically continuing representation. *Id.* Plaintiff also appears to seek appointment of different counsel. ECF No. 220-1.

A closed, ex parte hearing on this matter will be set before the undersigned for July 22, 2015, at 10:00 a.m., at the Robert T. Matsui Federal Courthouse, 501 I Street, Courtroom 26, Sacramento, CA 95814. A separate order and writ of habeas corpus ad testificandum will issue concurrently to provide for plaintiff's telephonic attendance at the hearing. Because this matter deals with representation of counsel and defendants have no standing on the matter, they shall not

1 respond to the motion and need not appear. It is unnecessary for plaintiff or plaintiff's counsel to
2 provide further briefing prior to the hearing.

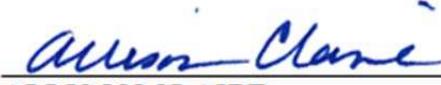
3 In accordance with the above, IT IS HEREBY ORDERED that:

4 1. The motion to withdraw from representation is set for closed, ex-parte hearing before
5 the undersigned on July 22, 2015, at 10:00 a.m., at the Robert T. Matsui Federal Courthouse, 501
6 I Street, Courtroom 26, Sacramento, CA 95814.

7 2. Plaintiff shall appear at the hearing telephonically.

8 3. The Clerk of the Court is directed to fax a courtesy copy of this order to the Litigation
9 Coordinator at Richard J. Donovan Correctional Facility at (619) 671-7566.

10 DATED: July 2, 2015

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12 ALLISON CLAIRE
13 UNITED STATES MAGISTRATE JUDGE

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