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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ADRIAN FRANK ANDRADE,
Petitioner,
v.
MATTHEW CATE,
Respondent.

No. 2:09-cv-02270 KJM AC P

ORDER

Petitioner is a state prisoner proceeding with an application for a writ of habeas corpus pursuant to 28 U.S.C. § 2254. On June 12, 2014 this court ordered petitioner’s counsel of record, Donald Masuda and Kenny Giffard, to show cause why their ongoing representation of petitioner is not burdened by a conflict of interest in light of this court’s September 24, 2013 order granting petitioner’s pro se motion for relief from judgment based on his abandonment by counsel. See ECF Nos 35, 24. On June 13, 2014 petitioner’s counsel filed a response to the order to show cause indicating that they do not intend to continue representing petitioner in the instant matter and would file a motion to withdraw pursuant to Local Rule 182(d). ECF No. 36. However, no such motion to withdraw has been filed to date. Counsel is once again reminded that the court is unable to set a further briefing schedule on petitioner’s habeas corpus application, which dates back to 2009, until the status of counsel is determined with certainty.

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Therefore, IT IS HEREBY ORDERED that counsel for petitioner shall file a motion to withdraw within 7 days of the date of this order.

DATED: June 20, 2014



ALLISON CLAIRE
UNITED STATES MAGISTRATE JUDGE