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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BERNARD HUGHES,
Plaintiff,
v.
MARTIN H. JANSEN, M.D., et al.,
Defendants.

No. 2:11-cv-1856-KJM-EFB P

ORDER

On February 26, 2015, the court appointed counsel for plaintiff for the limited purposes of investigating plaintiff’s claims, drafting and filing an amended complaint, and assessing the need for a temporary restraining order. ECF No. 48. The court noted that prior to termination of the appointment, counsel would have the option of proceeding as plaintiff’s appointed counsel for purposes of discovery, settlement and/or trial. *Id.* After several extensions of time, plaintiff’s counsel filed an amended complaint. ECF No. 60. Thereafter, defendant filed a motion to dismiss for failure to state a claim and plaintiff filed a *pro se* motion for injunctive relief. ECF Nos. 61, 62. Because plaintiff’s counsel did not oppose defendant’s motion to dismiss or seek an extension of time to oppose the motion, the court inferred that plaintiff’s counsel had elected to discontinue his representation of plaintiff. Therefore, the court noted that counsel had fulfilled his limited purpose appointment and directed plaintiff to file a response to defendant’s motion to dismiss. ECF No. 66 at n.1. The court also issued findings and recommendations, recommending that plaintiff’s *pro se* motion for injunctive relief be denied. ECF No. 67. In his

1 objections to those findings and recommendations, plaintiff states that his limited appointment
2 counsel did not provide him with a copy of the amended complaint and did not return the case
3 file.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. The Clerk of the Court shall send to plaintiff a copy of the Second Amended
6 Complaint (ECF No. 60).
- 7 2. Within ten days from the date of this order, plaintiff's limited appointment
8 counsel shall return the case file to plaintiff and file a statement with the court
9 certifying the same. Counsel's statement shall also clarify whether he wishes to
10 continue with his representation of plaintiff in this matter.

11 DATED: February 16, 2016.



EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE