

**MICHAEL B. BIGELOW**

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Attorney for Defendant  
Jessica Holmes

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

JESSICA HOLMES	)	No. CIV 11-2710 JKS KJN P
	)	
Plaintiff	)	REQUEST TO WITHDRAW
	)	AS ATTORNEY OF RECORD;
v.	)	ORDER
	)	
	)	
DEBORAH JOHNSON, Warden	)	
	)	
	)	
Defendant	)	

COMES NOW Attorney Michael Bigelow, counsel of record for  
Petitioner Jessica Holmes in the above-entitled matter, and  
moves to withdraw as such counsel for the petitioner. Counsel  
makes this request because his Petitioner has asked him to file  
a Notice of Appeal on this matter from the denial of her Section  
2254 Motion entered and judgment entered against her on March  
13, 2017.

While Mr. Bigelow is willing to file such a Notice of  
Appeal *pro se* for Petitioner, he cannot file such a Notice as  
attorney of record pursuant to an earlier agreement that his  
representation of Petitioner would terminate upon decision of

1 this Court in the above referenced matter. That decision has  
2 been made and thus Mr. Bigelow's representation of petitioner  
3 has been terminated.

4 Unfortunately, due to the relatively unique rules  
5 applicable to appeals within the Ninth Circuit it will take an  
6 extraordinary effort for counsel to withdraw as attorney of  
7 record once the Court of Appeals gains jurisdiction over the  
8 case. Therefore, counsel for Petitioner Holmes would request  
9 that this court relieve him as attorney of record for the  
10 petitioner in this case before the *pro se* Notice of Appeal is  
11 filed.

12  
13 Dated: March 17, 2017

14  
15 Respectfully submitted,

16 /S/MICHAEL B. BIGELOW  
17 Michael B. Bigelow  
18 Attorney for Petitioner  
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ORDER

1  
2 **Good cause appearing,** IT IS HEREBY ORDERED that:

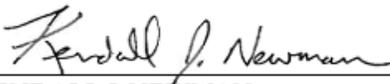
3 1. The motion to be relieved as counsel (ECF No. 121) is  
4 granted;

5 2. Michael Bigelow is relieved as attorney of record in  
6 the above entitled matter; and

7  
8 3. Petitioner is substituted in pro per; her contact  
9 information is:

10 Jessica N. Holmes  
11 X-23116  
12 Central California Women's Facility  
13 P.O. Box 1508  
14 Chowchilla, CA 93610

14 Dated: March 20, 2017

15   
16 \_\_\_\_\_  
17 KENDALL J. NEWMAN  
18 UNITED STATES MAGISTRATE JUDGE

18 /holm2710.wd