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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

VAN MORIN,
Plaintiff,
v.
HURLIMAN BOAT REPAIR, et al.,
Defendants.

No. 2:13-cv-0136 DAD

ORDER TO SHOW CAUSE

Each of the parties in the above-captioned case consented to proceed before the assigned magistrate judge. Accordingly, by order filed April 3, 2013, the action was reassigned to the undersigned.

On January 31, 2014, the case came before the undersigned for hearing of attorney Russell Humphrey's motion to withdraw as plaintiff's counsel. Attorney Ross Nott appeared on behalf of the defendants. Plaintiff's attorney Russell Humphrey did not appear and no appearance was made by, or on behalf of, the plaintiff.¹ However, at the January 31, 2014 hearing, Mr. Nott informed the court that Mr. Humphrey had yet to comply with the court's August 30, 2013 order, (Dkt. No. 28), ordering Mr. Humphrey to reimburse defendants in the amount of \$1,077.20.

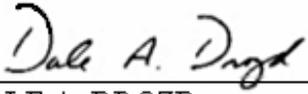
¹ The court finds that attorney Humphrey has not established good cause in support of his motion to withdraw. Had attorney Humphrey chosen to appear at the hearing on the motion he noticed, he might have been able to cure these deficiencies by way of explanation. Because he chose not to appear, the court has no choice but to deny the motion to withdraw without prejudice.

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Upon consideration of the parties' arguments on file and at the hearing, and for the reasons set forth on the record, IT IS HEREBY ORDERED that:

1. Attorney Russell Humphrey's December 13, 2013 motion to withdraw as counsel (Dkt. No. 32) is denied without prejudice;
2. Within fourteen days of the date of this order attorney Russell Humphrey shall show good cause in writing for his failure to comply with the court's August 30, 2013 order requiring him to reimburse defendants in the amount of \$1,077.20; and
3. Attorney Russell Humphrey's is cautioned that failure to file a timely response to this order may result in an order imposing appropriate additional sanctions. See Local Rule 110.

Dated: January 31, 2014



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE

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