

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

NAZIA JABEEN IQBAL,
Plaintiff,
v.
UNITED STATES CITIZEN AND
IMMIGRATION SERVICES, et al.,
Defendants.

No. 2:13-CV-01272-MCE-AC

ORDER

Presently before the Court is the Government's Motion for a 60-Day Extension of Time to file a Status Report (ECF No. 36) because the status of Plaintiff's counsel remains to be resolved. Plaintiff's counsel previously filed a notice of withdrawal (ECF No. 29), which was rejected by this Court via minute order (ECF No. 30) for failure to comply with the local rules.¹ Counsel thereafter filed a proposed "Substitution of Attorney," which this Court rejected via a written order electronically filed on September 9, 2014, for once again failing to comply with the local rules. ECF No. 35. Moreover, in that Order, the Court specifically directed Plaintiff's counsel to either properly notice a motion to withdraw or file a statement advising the Court that counsel would continue to represent Plaintiff. To date, counsel has not responded.

¹ Among other things, those rules mandate that "an attorney who has appeared may not withdraw leaving the client in propria persona without leave of court upon noticed motion and notice to the client and all other parties who have appeared." E.D. Cal. Local Rule 182(d).

1 The Government's Motion (ECF No. 36) is GRANTED. However, as a result of
2 Plaintiff's counsel's failure to respond to the Court's Order (ECF No. 35), and his multiple
3 failures to file a properly noticed motion to withdraw, within ten (10) days from the date
4 this order is electronically filed, Plaintiff's counsel shall either: (1) personally pay
5 sanctions in the amount of \$250.00 to the Clerk of the Court; or (2) show good cause in
6 writing for the failure to comply with the local rules and this Court's orders. By that same
7 date, Plaintiff's counsel must either: (1) properly notice a motion to withdraw to be heard
8 on the Court's regular civil calendar; or (2) file a statement advising the Court that
9 counsel will continue to represent Plaintiff. Failure to comply with any aspect of this
10 order will result in the imposition of sanctions and the reporting of counsel to the State
11 Bar of California upon no further notice to the parties.

12 IT IS SO ORDERED.

13 Dated: October 7, 2014

14
15
16 
17 MORRISON C. ENGLAND, JR., CHIEF JUDGE
18 UNITED STATES DISTRICT COURT
19
20
21
22
23
24
25
26
27
28