## 1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF CALIFORNIA 10 11 LARRY GIRALDES, No. 2:14-cv-1780 CKD P 12 Plaintiff. 13 v. **ORDER** 14 JEFFREY BEARD, 15 Defendant. 16 17 At plaintiff's request, he was appointed pro bono counsel in this prisoner civil rights action on March 11, 2015. (ECF No. 18.) Plaintiff subsequently moved for substitution of 18 19 counsel (ECF No. 29); however, after reviewing the response from plaintiff's counsel, the court 20 concluded it would be in plaintiff's interest to retain his attorney rather than litigate this action 21 pro se, and denied the motion. (ECF No. 32.) 22 Plaintiff next filed a pro se motion for a preliminary injunction, which was denied. (ECF No. 36.) The court informed plaintiff that as long as he was represented by counsel, his pro se 23 filings would be disregarded, "except as they pertain to the retention of counsel." (Id.) 24 25 Meanwhile, plaintiff's attorney continued to meet and confer with opposing counsel on 26 scheduling issues in this action. (ECF Nos. 37 & 38.) 27 Before the court is plaintiff's latest pro se motion. (ECF No. 41.) He again complains

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He requests that his previous, pro se motion for injunction be reconsidered, with his attorney "being allowed to continue doing what he wants, when he wants, without plaintiff being involved for the remainder of this case." (Id. at 3.) In a recent filing, plaintiff's counsel points out that plaintiff's ongoing pro se filings have "created uncertainty as to Plaintiff's relationship with his counsel and the scope of his authority." (ECF No. 42 at 3.) The court agrees. Plaintiff is advised that, if he continues to file pro se motions, the court will look favorably upon any motion to withdraw filed by plaintiff's attorney, and plaintiff will litigate this action pro se. See Hill v. Hall, 818 F. Supp. 269, 272 (E.D. Wisc. 1993) (courts may decline to appoint counsel where a litigant has acted irresponsibly or unreasonably toward his or her prior counsel). Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for leave of court (ECF No. 41) is denied. Dated: February 8, 2016 UNITED STATES MAGISTRATE JUDGE 2/gira1780.ord(3)