UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

GLEN MEYERS,

Plaintiff,

v.

COUNTY OF SACRAMENTO; et al.,

Defendants.

No. 2:16-cv-01121-MCE-CKD

ORDER

Presently before the Court is a Motion to Withdraw as Counsel (ECF No. 20) filed by the Law Office of Dennise Henderson ("Counsel"), counsel for Plaintiff Glen Meyers ("Plaintiff"), by which Counsel seeks to withdraw leaving Plailntiff in propria persona. This Motion is governed by the requirements of Eastern District of California Local Rule 182(d), which provides, among other things, that an attorney may not withdraw, leaving the client in propria persona, absent a noticed motion, appropriate affidavits, notice to the client and all other parties who have appeared, and compliance with the Rules of Professional Conduct of the State Bar of California. California Rule of Professional Conduct 3-700(C)(6) permits a member of the State Bar to seek to withdraw from representation when "[t]he member believes in good faith . . . that the tribunal will find the existence of . . . good cause for withdrawal." However, "[a] member shall not withdraw

¹ Having determined that oral argument would not be of material assistance, the Court ordered this Motion submitted on the briefing in accordance with Local Rule 230(g).

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from employment until the member has taken reasonable steps to avoid reasonably foreseeable prejudice to the rights of the client, including giving due notice to the client, allowing time for employment of other counsel, . . . and complying with applicable laws and rules." Cal. R. of Professional Conduct 3-700(A)(2). Whether to grant leave to withdraw is subject to the sound discretion of the Court and "may be granted subject to such appropriate conditions as the Court deems fit." E.D. Cal. Local R. 182(d); Canandaigua Wine Co., Inc. v. Edwin Moldauer, No. 1:02-cv-06599 OWW DLB, 2009 WL 89141, at *1 (E.D. Cal. Jan. 14, 2009).

Because Counsel's request is procedurally correct, substantively supported and unopposed, the Motion to Withdraw (ECF No. 54) is GRANTED and all pending scheduling dates are VACATED. The Law Office of Dennise Henderson is relieved as counsel of record for Plaintiff effective upon the filing of proof of service of this signed Order on Plaintiff at his last known address:

Glen Meyers-04289-010, FCI Terminal Island P.O. Box 3007 San Pedro, CA 90733

IT IS SO ORDERED.

Dated: June 18, 2018

MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE