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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

MICHAEL RIESE,

No. C 12-3723 RS

Plaintiff,

ORDER RE PENDING MOTIONS

v.

COUNTY OF DEL NORTE et al.,

Defendants.

Plaintiff Michael Riese is a former District Attorney for defendant County of Del Norte. During his tenure, Riese terminated the employment of defendant Jon Alexander, a Deputy District Attorney. Alexander then defeated Riese in an election, and succeeded him as DA. In this action, Riese alleges that Alexander and various law enforcement agencies and individuals engaged in a concerted effort to harass him and wrongfully target him for criminal investigation and prosecution.

Alexander has filed an “Anti-SLAPP” motion to strike¹ the claims for relief alleged against him. Defendant Richard Griffin, a Del Norte County Sheriff’s Deputy, likewise moves to strike the claims brought against him. Riese filed oppositions to both motions.

Less than thirty-five days prior to the scheduled hearing, however, Riese’s counsel filed a motion for leave to withdraw from representation. While the motion makes no mention of

¹ See California Code of Civil Procedure § 425.16.

1 Alexander's motion to strike, it effectively discloses that Riese's counsel is of the opinion Griffin's
2 motion to strike has merit and should be granted. Counsel set the motion to withdraw for hearing on
3 the same date as the motions to strike, without seeking an order shortening time.

4 Any opposition to the motion to withdraw is presently due June 12, 2013, with any reply due
5 June 19, 2013. That briefing schedule shall be maintained, and at this juncture the hearing on the
6 motion to withdraw will remain set for June 20, 2013. Plaintiff's counsel shall ensure that Riese
7 receives a copy of this order as promptly as possible. Whether or not Riese intends to oppose his
8 counsel's motion to withdraw, he shall file a statement with the Court setting out how he intends to
9 proceed in the event the motion to withdraw is granted, and whether he continues to oppose either or
10 both of the motions to strike. The hearing on the motions to strike is vacated pending further order
11 of Court. The motions will either be reset for hearing after the issue of Riese's representation is
12 resolved, or will be submitted without oral argument, as may appear appropriate.

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IT IS SO ORDERED.

Dated: 6/11/13



RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE