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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

LAMONT JOHNSON,

Plaintiff,

v.

WACHOVIA BANK FSB, et al.,

Defendants.

Case No.: C 10-2028 PVT

ORDER RE PLAINTIFF'S *PRO SE* STATUS

Plaintiff originally filed this action representing himself *pro se*. On July 19, 2010, Plaintiff sent a letter to the court informing the court that he had retained an attorney, Roxanne Mosley, to represent him in this matter. Ms. Mosley was added to the docket as Plaintiff's counsel, although Ms. Mosley herself has never made any appearance in this action. On August 18, 2010, Defendant Regional Trustee Services Corporation ("Regional") filed a motion to dismiss and a request for judicial notice. The proof of service states that the motion papers were served on Ms. Mosley. There is no indication that Defendant Regional served the motion papers on Plaintiff himself. On August 26, 2010, court staff received a call from Plaintiff in which he stated he was no longer represented by Ms. Mosley, and instead was representing himself. Based on the file herein,

IT IS HEREBY ORDERED that the Plaintiff is deemed to be representing himself *pro se*. While the court usually requires an attorney move to withdraw before being relieved as counsel of

1 record, it appears Ms. Mosley has never actually appeared in this action. Thus, a motion for leave to
2 withdraw is neither necessary or appropriate.

3 IT IS FURTHER ORDERED that all documents filed with the court must be served directly
4 on Plaintiff. Defendant Regional shall promptly serve on Plaintiff a copy of all motion papers it filed
5 on August 18, 2010.

6 IT IS FURTHER ORDERED that the clerk of the court shall remove Ms. Mosley's name and
7 contact information from the docket herein.

8 Dated: 8/26/10

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10 PATRICIA V. TRUMBULL
11 United States Magistrate Judge
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Counsel automatically notified of this filing via the court's Electronic Case Filing system.

copies mailed on 9/2/10 to:

Lamont Johnson
7937 Diamond Rock Drive
Antelope, CA 95843

/s/ Donna Kirchner
DONNA KIRCHNER
Judicial Law Clerk