

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 5:16-cv-444-Oc-CEMPRL

**REAL PROPERTY, INCLUDING ALL
IMPROVEMENTS THEREON AND
APPURTENANCES THERETO,
LOCATED AT 15145 SW 16TH
AVENUE, OCALA, MARION COUNTY,
FLORIDA 34473, REAL PROPERTY,
INCLUDING ALL IMPROVEMENTS
THEREON AND APPURTENANCES
THERETO, LOCATED AT 15175 SW
16TH AVENUE, OCALA, MARION
COUNTY, FLORIDA 34473, REAL
PROPERTY, INCLUDING ALL
IMPROVEMENTS THEREON AND
APPURTENANCES THERETO,
LOCATED AT 36 NASHUA WAY,
OCALA, MARION COUNTY,
FLORIDA 34482, PHOENIX CAPITAL
FUNDING, INC. and PHOENIX
LANDING RANCH**

Defendants.

ORDER

This case is before the Court for consideration of Defendants' Joint Stipulation for Substitution of Counsel, requesting that Amber Hill, Esq be substituted for Joshua Cossey, Esq., as counsel for Defendants. (Doc. 21). Unfortunately, however, Defendants' Stipulation, which shall be construed as a motion, is due to be denied as procedurally deficient, as it fails to comply with Local Rules 2.03(b) and 3.01(g). Local Rule 2.03(b), provides "[n]o attorney, having made

a general appearance under subsection (a) of this rule, shall thereafter abandon the case or proceeding in which the appearance was made, or withdraw as counsel for any party therein, except by written leave of Court obtained after giving ten (10) days' notice to the party or client affected thereby, and to opposing counsel.” Having previously made a general appearance on behalf of Defendants, Joshua Cossey, Esq., may not withdraw as counsel without obtaining leave of Court and complying with Local Rule 2.03(b). The Court further observes that Defendants’ motion fails to contain a certification that moving counsel has conferred with opposing counsel as required by Local Rule 3.01(g).

Accordingly, Defendants’ Joint Stipulation (Doc. 21), which shall be construed as a motion, is **DENIED**.

DONE and ORDERED in Ocala, Florida on October 17, 2016.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties