

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

JILL JORGENSEN,

Plaintiff,

v.

CITY OF BLACKFOOT, BINGHAM
COUNTY, SHAWN HUNTER, ERIC
WREN, and KATHY DOE,

Defendants.

Case No. 4:11-CV-00016-BLW

ORDER

On July 14, 2011, the Court granted counsel's Motion for Leave to Withdraw as Attorney of Record for Plaintiff. The Court explained that withdrawing counsel shall continue to represent Plaintiff, pursuant to Dist. Idaho Loc. Civ. R. 83.6(c)(2) until proof of service of the Court's Order on the client had been filed with the Court, or alternatively, until such time as Plaintiff notifies the Court in writing that it has received the Court's Order. The Court further explained that Plaintiff would have twenty-one (21) days from the filing of the proof of service by the withdrawing attorney to file written notice with the Court stating how and by whom she would be represented. The Court also stated that if Plaintiff failed to appear in this action, either in person or through a newly appointed attorney within that twenty-one (21) day period, such failure shall be grounds for dismissal of Plaintiff's claims with prejudice without further notice.

ORDER - 1

Counsel filed the affidavit of proof of service on August 25, 2011.¹ More than twenty-one (21) days have passed since that time, and Plaintiff has failed to appear in this action, either in person or through a newly appointed attorney. Accordingly, the Court will dismiss Plaintiff's claims with prejudice.

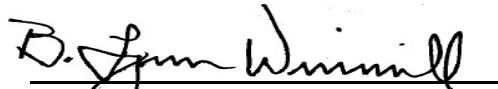
ORDER

IT IS ORDERED:

1. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**.
2. The Court will enter a separate judgment pursuant to Fed.R.Civ.P. 58.

DATED: **September 28, 2011**




B. LYNN WINMILL
Chief U.S. District Court Judge

¹ The affidavit stated that the Order was served on defendant's daughter. The reference to defendant as opposed to plaintiff was clearly a typo. The affidavit indicates that it was served on plaintiff's daughter by name.