

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RODNEY HELM,

Plaintiff,

Case No. 15-cv-12394
Hon. Matthew F. Leitman

v.

FREEDOM MORTGAGE CORPORATION *et al.*

Defendants.

**ORDER GRANTING MOTION TO WITHDRAW (ECF #5) AND
CANCELLING TELEPHONIC STATUS CONFERENCE (ECF #4)**

On May 21, 2015, Plaintiff Rodney Helm (“Plaintiff”) filed this mortgage-foreclosure action against Defendants in the Lapeer County Circuit Court. (*See* ECF #1-2.) Plaintiff was represented by attorney Steven B. Ruza (“Ruza”). (*See id.*) Defendants removed Plaintiff’s action to this Court on July 2, 2015. (*See* ECF #1.)

On July 10, 2015, Ruza filed a motion to withdraw as counsel for Plaintiff (the “Motion to Withdraw”). (*See* ECF #5.) Ruza informs the Court in the Motion to Withdraw that Michigan’s 48th District Court has ordered him “to not represent parties relating to foreclosures.” (*Id.* at 2, Pg. ID 53.) Ruza says he has therefore “informed [his clients] by mail of alternative counsel that is available to take over [his] caseload.” (*Id.*) Ruza has attached to the Motion to Withdraw the letter he sent to his clients (*see* ECF #5-2) and a copy of the 48th District Court’s criminal

docket which shows that Ruza has been charged with three counts of false pretenses and has been enjoined from representing individuals in foreclosure-related matters. (See ECF #5-1.) In addition, Ruza has provided the Court a June 30, 2015, order from the Lapeer County Circuit Court allowing Ruza to withdraw as Plaintiff's counsel. (See ECF #5-3.)

Plaintiff has not responded or otherwise objected to the Motion to Withdraw. Nor has Defendant. But given the pending criminal charges against Ruza, the 48th District Court's order prohibiting Ruza from representing individuals like Plaintiff, and the Lapeer County Circuit Court's order allowing Ruza to withdraw as Plaintiff's counsel, the Court concludes that Ruza should be allowed to withdraw as counsel for Plaintiff in this matter.

Accordingly, the Court **GRANTS** the Motion to Withdraw (ECF #5.) The Court **FURTHER ORDERS** the following:

- Plaintiff shall have until **August 24, 2015**, to obtain new counsel and have new counsel file an appearance in this action. If no such appearance is filed, the Court will presume that Plaintiff intends to proceed *pro se* in this matter.
- By no later than **July 24, 2015**, Ruza shall send a letter to Plaintiff enclosing a copy of this Order and explaining to Plaintiff the Court's requirement that Plaintiff has until August 24, 2015, to obtain new counsel

and have new counsel file an appearance in this action. Ruza shall also file a Proof of Service with the Court no later than **July 31, 2015**, indicating that this letter was timely sent to Plaintiff.

- The previously-scheduled July 17, 2015, telephonic status conference (*see* ECF #4) is **CANCELLED**.
- Until further notice of the Court, the parties shall not serve discovery, responses to discovery, or disclosures, and shall not file any motions, responses to motions, or responsive pleadings.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: July 16, 2015

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on July 16, 2015, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(313) 234-5113