

UNITED STATES DISTRICT COURT
 EASTERN DISTRICT OF MISSOURI
 SOUTHEASTERN DIVISION

CLAUDIA BEA SCOTT,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 1:08CV0145 AGF
)	
MICHAEL J. ASTRUE,)	
Commissioner of the Social Security)	
Administration,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

This matter is before the Court on Plaintiff’s motion to voluntarily dismiss this case without prejudice. The grounds for the motion, prepared by Plaintiff’s counsel Jay R. Yorke, are that Mr. Yorke is too busy to handle the case, which was filed on September 22, 2008, and that Plaintiff wishes to explore obtaining another attorney to represent her in this matter. Accordingly,

IT IS HEREBY ORDERED that Plaintiff shall have up to and including November 2, 2009, to obtain new counsel to represent her. Upon the entry of an appearance by substitute counsel, the Court shall rule on any motion to withdraw that may be filed by Mr. Yorke. Plaintiff is advised, however, that Plaintiff’s brief was originally due on January 21, 2009, and has yet to be filed. Any new counsel must be prepared to proceed with the case expeditiously.

IT IS FURTHER ORDERED that, in the event no substitute counsel files an appearance on behalf of Plaintiff by November 2, 2009, the Court shall hold a hearing on **November 5, 2009, at 1:30 p.m.**, which counsel for both parties and Plaintiff herself shall attend. At the hearing, the Court will address the issue of Plaintiff's representation as well as Plaintiff's Motion to Dismiss.

IT IS FURTHER ORDERED that Mr. Yorke shall promptly provide a copy of this Order to Plaintiff, and shall file a notice with the Court confirming that notice was provided to Plaintiff and the manner in which such notice was provided.



AUDREY G. FLEISSIG
UNITED STATES MAGISTRATE JUDGE

Dated on this 20th day of October, 2009.