

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EUGENE J. FIEDLER,)	
)	4:08CV3144
Plaintiff,)	
)	ORDER
v.)	
)	
STATE OF NEBRASKA DEPARTMENT)	
OF ROADS, et al.,)	
)	
Defendants.)	

This matter is before the court on the motion of Joy Shiffermiller ([Filing No. 135](#)) to withdraw as counsel for the plaintiff Eugene J. Fiedler. The movant states Mr. Fiedler has not responded to correspondence and is difficult to represent. The movant served a copy of the motion on Mr. Fiedler. See [Filing No. 136](#). The court will afford Mr. Fiedler an opportunity to respond to the motion and/or obtain substitute counsel. Accordingly,

IT IS ORDERED:

1. Joy Shiffermiller’s motion to withdraw ([Filing No. 135](#)) is held in abeyance.
2. Eugene J. Fiedler shall have to **on or before April 1, 2011**, to respond to the motion to withdraw by filing a brief with the Clerk of Court. If no response is received or if substitute counsel has entered an appearance by that date, the motion to withdraw will be granted. If the motion to withdraw is granted and substitute counsel has not entered an appearance, Eugene J. Fiedler will be considered proceeding *pro se*.
3. Moving counsel shall serve a copy of this order on her client and file a certificate of such service with the court.

DATED this 1st day of March, 2011.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge