

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

LARRY TIES, and LORETTA A. TIES, )  
)  
Plaintiffs, )  
)  
v. )  
)  
ALAN BRIAN STRAIN, )  
)  
Defendant. )

4:09CV3172

MEMORANDUM AND ORDER

Jeffery H. Jacobsen was granted leave to withdraw as counsel of record for plaintiff Larry Ties on October 28, 2010. The court’s order gave Larry Ties until November 22, 2010 to either: (1) obtain the services of substitute counsel and have the attorney file an appearance on his behalf; or (2) file a statement informing the court of his intent to proceed in this case without counsel. The order warned that failure to timely comply may result in dismissal of his claims. Jeffery H. Jacobsen, was ordered to serve a copy of the court’s order granting withdrawal on plaintiff Larry Ties, and to file a certificate of service stating he had done so. See, filing no. 41.

To date, Mr. Jacobsen has not filed a certificate of service, Larry Ties has not informed the court of his intent to proceed pro se, and no attorney has entered an appearance on Larry Ties’ behalf.

Accordingly,

IT IS ORDERED:

- 1) Plaintiff Larry Ties is given until December 9, 2010 to either: (a) obtain the services of substitute counsel and have that attorney file an appearance on his behalf; or (2) file a statement notifying the court of his intent to litigate this case without counsel. Failure to comply with this order may result in dismissal of Larry Ties’ claims for want of prosecution.
- 2) The clerk shall mail a copy of this memorandum and order to plaintiff Larry Ties at:

Larry Ties  
P.O. Box 904  
Gibbon, NE 68840.

DATED this 29th day of November, 2010.

BY THE COURT:  
s/ Cheryl R. Zwart  
United States Magistrate Judge