

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

TANYA MURPH,

Plaintiff,

vs.

SILVER MEMORIES, INC.,

Defendant.

8:13CV11

ORDER

This matter is before the court on the motion (Filing No. 25) of Timothy L. Ashford to withdraw as counsel for the plaintiff. The plaintiff, proceeding pro se, initiated this action on January 8, 2013. **See** Filing No. 1 - Complaint. Recently, on October 1, 2013, Mr. Ashford filed an appearance in this matter. **See** Filing No. 18. Mr. Ashford states withdrawal is necessary because of unresolvable issues between the plaintiff and Mr. Ashford. The court will afford the plaintiff an opportunity to respond to the motion and/or obtain substitute counsel. Accordingly,

IT IS ORDERED:

1. Mr. Ashford's motion to withdraw as counsel (Filing No. 25) is held in abeyance.
2. The plaintiff shall have to **on or before November 4, 2013**, 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, the plaintiff will be considered proceeding pro se.
3. The court **will not** hold a hearing on October 24, 2013, at 11:00 a.m. as indicated in Mr. Ashford's motion. If necessary, the court will arrange for a hearing at a later date.
4. Moving counsel shall serve a copy of this order on his client and file a certificate of such service with the court, including the plaintiff's last known address.

Dated this 21st day of October, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge