

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

MICHAEL CLARK,

Plaintiff,

vs.

OFFICER GUERRERO,

Defendant.

Case No. 2:09-cv-00141-JCM-PAL

ORDER

(Mtn to Withdraw - Dkt. #137)

This matter is before the court on the Motion to Withdraw as Counsel (Dkt. #137) filed September 12, 2013. Catherine Cortez Masto, Attorney General, and David T. Gluth, Deputy Attorney General, seek to withdraw as counsel of record for Defendant Adrian Guerrero. The Motion represents Guerrero is no longer employed by the Nevada Department of Corrections, and he advised the Attorney General's Office that he no longer wishes to be represented. Local Rule IA 10-6 provides that "no withdrawal . . . shall be approved if delay of discovery, the trial or any hearing in the case would result." Plaintiff filed his complaint in state court, and on January 21, 2009, it was removed to this court. *See* Petition for Removal (Dkt. #1). Discovery in this case closed on January 22, 2013. On August 8, 2013 the district judge denied Defendant's motion to dismiss. Therefore, pursuant to LR 26-1 and the court's discovery plan and scheduling order the parties were required to file a joint pretrial order within 30 days. To date, the parties have not complied.

Having reviewed and considered the matter, and for good cause shown,

IT IS ORDERED:

1. The Motion to Withdraw as Counsel of Record (Dkt. #137) is GRANTED.
2. Defendant Guerrero shall have until **October 16, 2013**, in which to retain new counsel who shall file a notice of appearance in accordance with the Local Rules of Practice or to file a statement that he will proceed pro se, that is, represent himself.

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3. Failure to comply with this order may result in a recommendation to the District Judge for sanctions, including case-dispositive sanctions.
4. The Clerk of Court shall serve a copy of this Order on Defendant at:
Adrian Guerrero
1901 N. Jones Blvd. Apt. N #1003
Las Vegas, NV 89108
5. The parties shall have until November 15, 2013 to file a joint pretrial order which fully complies with the requirements of LR 16-3 and 16-4.

Dated this 16th day of September, 2013.


PEGGY A. LEN
UNITED STATES MAGISTRATE JUDGE