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UNITED STATES DISTRICT COURT

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DISTRICT OF NEVADA

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ALEXANDER WALLS,

Case No. 2:14-cv-02201-KJD-PAL

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Plaintiff,

ORDER

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v.

(Mot WD Atty – Dkt. #23)

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CORRECTIONS CORPORATION OF
AMERICA,

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Defendant.

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This matter is before the court on Plaintiff's Counsel's Motion to Withdraw ((Dkt. #23) filed March 29, 2016, and Defendant's Notice of Non-Opposition (Dkt. #24) filed on April 1, 2016. Although Plaintiff was served with the motion he has not filed a response. The motion represents that at the onset of this litigation, Plaintiff was incarcerated in Pahrump, Nevada. Since then he has been moved twice—once to a federal penitentiary in Tucson, Arizona, and most recently to a maximum security facility in Terre Haute, Indiana. Counsel has had no communication with Plaintiff since his last transfer and attempts to reach him have been unsuccessful. Furthermore, Plaintiff's relocation to Indiana makes litigating this matter significantly burdensome for counsel, both logistically and financially. Messrs. Padda and Shannon therefore seek leave to withdraw as counsel of record.

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Withdrawal of counsel will inevitably cause a delay in discovery. Counsel therefore requests that discovery be stayed for a period of 90 days, subject to reinstatement and adjustment by the court. Trial is not currently scheduled in this matter.

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

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IT IS ORDERED:

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1. Messrs. Padda and Shannon's Motion to Withdraw (#23) is **GRANTED**.

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2. The plaintiff shall have until **May 19, 2016**, in which to retain substitute counsel who shall make an appearance in accordance with the requirements of the Local Rules of Practice, or to file a notice with the court that he will be appearing in this matter *pro se*, that is representing himself


3. Plaintiff's failure to timely comply with this order by either obtaining substitute counsel, or filing a notice that he will be appearing in this matter *pro se* may result in the imposition of sanctions, which may include a recommendation to the District Judge that plaintiff's complaint be dismissed for failure to prosecute. See Fed. R. Civ. P. 41(b).

4. The Clerk of the Court shall serve the plaintiff with a copy of this order at his last known address:

Alexander Walls
Register No. 41490-086
USP Terre Haute
4700 Bureau Road South
Terre Haute, Indiana 47802

5. Counsel's request to stay this matter for 90 days is **DENIED**. However, the court will stay proceedings in this matter until May 19, 2016 to allow Plaintiff to either retain substitute counsel or file a notice that he will be representing himself.

DATED this 19th day of April, 2016.


PEGGY A. ZEEN
UNITED STATES MAGISTRATE JUDGE