

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Sean Dave Harris

v.

Civil No. 09-cv-20- JL

Janet Napolitano, et al.

ORDER

On January 16, 2009, the above captioned case was filed in this Court. On January 20, 2009, Attorney Michael Sady filed an Appearance and a Motion to Dismiss on behalf of all defendants. Attorney Seth Aframe has filed an Appearance as replacement counsel on behalf of the federal defendants in this case. Attorney Sady has filed a Notice of Attorney Withdrawal on behalf of Wanye Estes.

Local Rule 83.6 states in part that an attorney may withdraw from a case by serving notice of withdrawal . . . if (1) there are no motions pending before the court . . . As Document Number 1, the Emergency Petition for Writ of Habeas Corpus and Motion for Temporary Restraining Order is pending in this court, Attorney Sady would only be able to withdraw by leave of court after the filing of a motion.

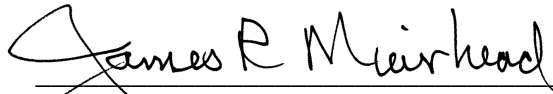
As Attorney Sady, being a government attorney, did not originally have the authority to represent a non federal government entity, I herewith allow his withdrawal.

Respondent Wayne Estes, is herewith directed to advise this court by February 26, 2009, of the name of a new attorney or, in the alternative, of his decision to appear pro se (without counsel). *See* Local Rule 83.6(b) and (d). Mr. Estes is under no obligation to retain counsel; he may defend this case himself.

If no new appearance or other response is received within the time specified, the file will be referred to the clerk for entry of the default pursuant to Fed. R. Civ. P. 55(a).

SO ORDERED.

February 6, 2009


James R. Muirhead
United States Magistrate Judge

cc: Soraya Sadeghi, Esq.
Seth Aframe, Esq.
Michael Sady, Esq.
Wayne Estes, Sheriff, Strafford County Jail