

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION  
2:12cv84**

**MOUNTAIN LAND PROPERTIES,** )  
**INC. and DIANA D.,** )  
 )  
 **Plaintiffs,** )  
 )  
**v.** )  
 )  
**FRED LOVELL, et al,** )  
 )  
 **Defendants.** )  
\_\_\_\_\_ )

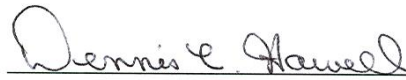
**ORDER**

Pending before the Court are the Motion to Withdraw as Attorney [# 49], Amended Motion to Withdraw as Attorney [# 50], and the Pro Se Motion to Deny Counsel for Plaintiffs' Motion to Withdraw [# 51]. Counsel for Plaintiffs, David Payne, moved to withdraw as counsel of record in this case after the Court entered its Memorandum and Recommendation recommending that the District Court dismiss the vast majority of the claims brought by Plaintiffs. Counsel represented to the Court in the motions that Plaintiffs have retained the services of another attorney. Counsel provided no other reason for withdrawal in this case and did not provide the written consent of his client for his withdrawal. Subsequently, Plaintiffs filed a motion requesting that the Court deny the Motions to Withdraw. Plaintiffs contend that they have not, as of June 19, 2014, procured the services of

another attorney.

The Court's Local Rules require that an attorney moving to withdraw as counsel of record must show good cause for the withdrawal where he or she does not submit the written consent of his or her client. LCvR 83.1(F). Counsel has failed to set forth any legitimate reason for his withdrawal, much less good cause. Accordingly, the Court **DENIES** the motions [# 49 & # 50] and **DENIES as moot** Plaintiffs' motion [# 51].

Signed: June 20, 2014



Dennis L. Howell  
United States Magistrate Judge

