

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

Roger Smith,)	C/A No.: 3:17-680-MBS-SVH
)	
Plaintiff,)	
)	
vs.)	
)	ORDER
Catherine Robinson, Individually as an)	
officer with the City of Columbia Police)	
Department; and Todd Coey,)	
Individually as a State Constable,)	
)	
Defendants.)	
)	

This matter comes before the court on the motion of J. Christopher Mills, Esquire, (“Plaintiff’s counsel”), to be relieved as counsel for Roger Smith (“Plaintiff”). [ECF No. 16].¹ The motion indicates that Plaintiff and Plaintiff’s counsel have come to the mutual decision that it is not appropriate for Plaintiff’s counsel to remain in the case. *Id.* Attached to the motion is a signed consent by Plaintiff for his counsel to withdraw. The undersigned grants the motion to withdraw.

The court directs Plaintiff to notify the court by September 14, 2017, of the identity of the new attorney(s) he has retained to represent him in this case or, alternatively, of his desire to proceed with this litigation *pro se*, i.e., without an attorney. If Plaintiff does not wish to continue this lawsuit, he may request that the court dismiss the case in its entirety. To this end, Plaintiff shall, by September 14, 2017, complete the attached notice and mail it to the Clerk of Court at the address indicated. If Plaintiff fails

¹ Plaintiff’s counsel previously filed a motion to withdraw that did not include the Plaintiff’s signed consent. [ECF No. 15]. The court denies that motion as moot.

to file the attached letter with the Clerk within the time prescribed, the court will consider him as proceeding pro se.

Plaintiff is specifically advised that, if no new attorney is obtained to represent his interests, the court will expect this litigation to be conducted in accordance with all provisions of the Federal Rules of Civil Procedure and that the court is unable to provide him with legal advice. Failure to comply with court rules could have serious consequences including, but not limited to, striking his claims and dismissing the case.

IT IS SO ORDERED.



August 15, 2017
Columbia, South Carolina

Shiva V. Hodges
United States Magistrate Judge

Name: _____

Address _____

Clerk of Court
United States District Court
901 Richland Street
Columbia, South Carolina 29201

In Re: 3:17-cv-680-MBS-SVH Smith v. Robison, et al.

Dear Ms. Blume:

In response to the order of Judge Hodges dated August 15, 2017, I wish to advise as follows:

____ 1. I, _____ (Printed Name), have obtained a new attorney to personally represent me in this matter. His [or her] name, address, and telephone number are as follows:

OR

____ 2. I, _____ (Printed Name), have **NOT** obtained a new attorney and will represent myself in this matter. I request that the Clerk of Court direct all notices and pleadings to me at the above address. I understand that I am obligated to comply with all provisions of the Federal Rules of Civil Procedure and to keep the Clerk of Court informed as to my proper address.

____ 3. I, _____ (Printed Name), do not wish to continue this lawsuit and request that the court dismiss the case in its entirety.

Signature

Date