

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

USB BANK USA,

Plaintiff,

vs.

HAL S. MULLINS,

Defendant.

MEMORANDUM DECISION AND
ORDER GRANTING MOTION TO
WITHDRAW AND DENYING
MOTION FOR EXTENSION

Case No. 2:08-CV-814 TS

Defendant's counsel moves to withdraw and has complied with the requirements to do so.¹ Defendant does not oppose his counsel's withdrawal. Instead he moves for an extension of time for 45 days in order to obtain new counsel or to prepare to represent himself. Plaintiff opposes an extension because the Local Rules² already require that Plaintiff be given 20 days to either obtain new counsel or enter his appearance pro se.

¹See DUCivR 83-1.4(a)(2) (requirements for attorney withdrawal without client's consent). The Local Rules of Practice, the Federal Rules of Civil Procedure, and associated forms are available on the United States District Court for the District of Utah's website at www.utd.uscourts.gov.

²DUCivR 83-1.4(b).

Further, Plaintiff opposes the request for a 45-day extension because it is not clear what deadlines Defendant seeks to extend.

The Court notes that it has been 28 days since Defendant moved for an extension. Together with the 20 days allowed by the Local Rule, Defendant has sufficient time to either find new counsel or enter his appearance pro se. It is therefore

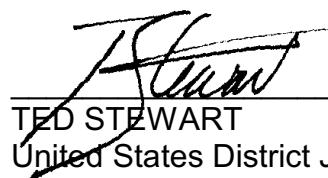
ORDERED that Defendant's counsel's Motion to Withdraw (Docket No. 49) is GRANTED. It is further

ORDERED that Defendant's Motion for Extension of Time (Docket No. 54) is DENIED. It is further

ORDERED that within 20 days of the entry of this Order, Defendant shall notify the clerk of court of the appointment of another attorney or of his decision to appear pro se.

DATED November 29, 2010.

BY THE COURT:



TED STEWART
United States District Judge