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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

DEMICKO BILLIE THOMAS,	)	CASE NO. C11-2186RSM
	)	
Petitioner,	)	
	)	ORDER GRANTING MOTION TO
v.	)	PROCEED PRO SE AND TO WITHDRAW
	)	OBJECTIONS
MAGGIE MILLER-STOUT	)	
	)	
Respondent.	)	

On July 11, 2017, the Honorable Brian A. Tsuchida issued a Report and Recommendation in this matter for consideration by the Undersigned. Dkt. #93. Petitioner then filed Objections, through counsel, and the government filed a Reply to those Objections. Dkts. #94 and #95.

On August 11, 2017, Petitioner filed a *pro se* Motion to Withdraw Objections and For Leave to File an Overlength Amended Objections. Dkts. #96 and #97. Because Petitioner remained represented by counsel at that time, the Court informed him that he was unable to act on his own behalf unless or until he made a motion to proceed on his own behalf and such motion was granted. Dkt. #99. As a result, the Court struck Petitioner’s motion. *Id.* Petitioner’s counsel then moved to re-note Petitioner’s habeas petition for consideration, explaining that such extension would allow time for her to consult with Mr. Thomas and determine whether or not he desired to proceed pro se. Dkt. #98. The Court granted the motion. Dkt. #100.

Petitioner has now moved to proceed *pro se* and to withdraw the existing Objections and file his own overlength Objections. Dkt. #101. Petitioner explains:

ORDER GRANTING MOTION TO PROCEED PRO SE  
AND TO WITHDRAW OBJECTIONS  
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1 I find it paramount at this time that I, request to proceed Pro Se, and be  
2 afforded with an opportunity to file an objection to the Report and  
3 Recommendation, upon my own behalf. As I, am currently serving a 62 year  
4 plus, prison sentence; have been litigating for the most part, each and every  
5 aspect of my legal proceedings and belief [sic] I, am more familiar with my  
6 case than anyone.

7 Dkt. #101-2 at ¶ 3. Petitioner also explains that he has had an opportunity to speak with his  
8 counsel about this decision, he understands the gravity of the situation and the significance of  
9 proceeding *pro se* versus being represented by counsel, and is ready to accept the responsibility  
10 of proceeding *pro se*. *Id.* at ¶ ¶ 3-5.

11 Having reviewed the record, and being convinced that Petitioner understands what it  
12 means to proceed in this matter on his own behalf and that he has the ability to litigate his claims,  
13 the Court hereby finds and ORDERS:

- 14 1. Plaintiff's Motion to Withdraw Objections to Report and Recommendation and For  
15 Leave to File an Amended Overlength Objection to Report and Recommendation  
16 (Dkt. #101) is GRANTED.
- 17 2. Petitioner is granted permission to proceed *pro se* in this litigation. Petitioner's  
18 representation by his attorneys at the Federal Public Defender's Office (Ms. Lai, Ms.  
19 Endo and Mr. Filipovic) is hereby TERMINATED effective as of the date of this  
20 Order. All further correspondence and briefing in this matter shall be served directly  
21 on Petitioner at the address he provided as follows: **Mr. Demicko Billie Thomas,**  
22 **Inmate Number 991403 N-A-47-L, Airway Heights Correction Center, P.O. Box**  
23 **2049, Airway Heights, WA 99001-2049.**
- 24 3. In proceeding *pro se*, it is Petitioner's responsibility to be familiar with the Federal  
25 Rules of Civil Procedure and the Court's Local Rules, which can be found on the  
26 internet at the Court's public website [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov). It is also Petitioner's  
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1 responsibility to keep the Court and opposing counsel informed of his current contact  
2 information.

3 4. The pending Objections to the Report and Recommendation (Dkt. #94) are  
4 WITHDRAWN, and the government's corresponding Reply (Dkt. #95) is  
5 STRICKEN AS MOOT.  
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7 5. Petitioner shall file his Amended Objections to the Report and Recommendation **no**  
8 **later than November 6, 2017. Those Objections shall be no longer than 20 pages**  
9 **in length.**

10 6. Given the Thanksgiving holiday in November, the government shall have twenty-one  
11 (21) days from the date the Objections are filed to make any Reply. The government  
12 will have up to 8 overlength pages if necessary.  
13

14 7. The pending Report and Recommendation by Judge Tsuchida (Dkt. #93) is  
15 **RENOTED for consideration on Friday, December 1, 2017.**

16 DATED this 4 day of October, 2017.  
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20 RICARDO S. MARTINEZ  
21 CHIEF UNITED STATES DISTRICT JUDGE  
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