

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DEMICKO BILLIE THOMAS,)	CASE NO. C11-2186RSM
)	
Petitioner,)	
)	MINUTE ORDER STRIKING MOTION
v.)	TO WITHDRAW OBJECTIONS
)	
MAGGIE MILLER-STOUT)	
)	
Respondent.)	

The following MINUTE ORDER is made by direction of the Court, the Honorable Ricardo S. Martinez, Chief United States District Judge:

On July 11, 2017, the Honorable Brian A. Tsuchida issued a Report and Recommendation in the matter for consideration by the Undersigned. Dkt. #93. Petitioner then filed Objections, through counsel, and the government filed a Response 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. At this time, Petitioner remains represented by counsel. Accordingly, Mr. Thomas is unable to act on his own behalf unless or until he makes a motion to proceed on his own behalf and such motion is granted.¹ Local Civil Rule 83.2(b)(4). As a result, the Court STRIKES Petitioner’s pending motion (Dkt. #96).

¹ Petitioner notes that he currently wishes to proceed with the guidance of counsel, but is prepared to proceed *pro se* if necessary. Dkt. #97 at ¶ 5.

1 The Court notes, however, that Petitioner's counsel has moved for an extension of time
2 for the noting date of this habeas petition in order to discuss with their client whether he does
3 indeed desire to move forward *pro se*. Dkt. #98. The Court will grant that motion in a separate
4 Order. Accordingly, should petitioner's counsel ultimately withdraw from representation,
5 nothing in this Order precludes Petitioner from renewing his Motion to Withdraw his Objections
6 at that time. Until then, all filings made on behalf of Petitioner in this matter (with the exception
7 of a motion to proceed *pro se*) must be made through his current counsel.
8

9 DATED this 15 day of August, 2017.

10 WILLIAM McCOOL, Clerk

11 By: /s/ Rhonda Stiles
12 Deputy Clerk
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28