

1 ADVOCATES LAW AND REAL ESTATE
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7 Attorney for Plaintiff CHARLES EDWARD LINCOLN III

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9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **SOUTHERN DIVISION-SANTA ANA**

12 Charles Edward Lincoln, III et. al.,
13 Plaintiffs,

14 v.

15 The State of California, et. al.,
16 Defendants.

) Case No: **8:09-cv-01072-DOC-E**

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EX PARTE
NOTICE OF MOTION AND
MOTION OF ATTORNEY
TO BE RELIEVED AS
ATTORNEY OF RECORD
NOTICE OF PROPOSED ORDER

NO ORAL ARGUMENTS
REQUESTED

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19 **NOTICE OF MOTION AND**
20 **MOTION OF ATTORNEY**
21 **TO BE RELIEVED AS ATTORNEY OF RECORD**

22 EX PARTE NOTICE IS HEREBY GIVEN that attorney DIANE BEALL requests
23 the above captioned Court relieve her as attorney of record in the above captioned case.

24 **MOTION TO BE RELIEVED AS ATTORNEY OF RECORD**

25 DIANE BEALL requests that this Court relieve her as the attorney of record for Plaintiff,
26 CHARLES EDWARD LINCOLN, III. Attorney Beall has been requesting that Plaintiff relieve
her as Attorney of Record for about a year and has advised Plaintiff that she would be filing a

1 motion to be relieved as the attorney of record if he did not sign a substitution of attorney
2 substituting himself back in as Pro Se or substituting another attorney in. Plaintiff has failed to
3 comply with Attorney Beall's requests. Therefore she is forced to file this motion. Her
4 withdrawal will not cause unreasonable delay in prosecution of the case. Her reasons for this
5 request are set forth in her Declaration. It would be to Plaintiff's best interest to retain different
6 representation or represent himself pro se.

7 **NOTICE OF LODGING PROPOSED ORDER**

8 Movant hereby gives notice that a Microsoft Word version of the Proposed Order will be
9 lodged with the Court.

10 Respectfully Submitted

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12 DATED this 10th day of February, 2012.

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14 /s/ Diane Beall

15 DIANE BEALL, Attorney for Plaintiff
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