

1 ADVOCATES LAW AND REAL ESTATE
2 DIANE BEALL, ATTORNEY SBN 86877
3 243 S Escondido Blvd. #125
4 Escondido, CA 92025
5 760-807-5417
6 attorneydianebeall@gmail.com
7 Attorney for Plaintiff

8
9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA**
11 **SOUTHERN DIVISION-SANTA ANA**

12 CHARLES EDWARD LINCOLN, III, et)
13 al.,)
14 Plaintiffs,)
15 v.)
16 THE STATE OF CALIFORNIA, et al.,)
17 Defendants.)

Case No: **8:09-cv-01072-DOC-E**
DECLARATION OF ATTORNEY
TO BE RELIEVED AS
ATTORNEY OF RECORD
NO ORAL ARGUMENTS
REQUESTED

18 I, DIANE BEALL, declare:

19 I am the attorney of record for Charles Lincoln in case number **8:09-cv-01072-DOC-E**.

20 If called upon to testify as to the matter set forth in this declaration, I could and would
21 competently testify thereto based upon my personal knowledge. I am requesting to be relieved as
22 the attorney of record for Plaintiff. I have advised Plaintiff that I wanted to be relieved as the
23 attorney of record for over a year, and requested that he sign a substitution of attorney
24 substituting himself back in as Pro Se or retain another attorney. He has failed to comply with
25 my request or to retain a new attorney. Therefore I am forced to file this motion.

1 Upon information and belief, my withdrawal will not cause unreasonable delay in
2 prosecution of the case. It would be to Plaintiff's best interest to retain different representation
3 since I am not able to represent him.

4 I have moved back to San Diego and it takes me an hour and a half drive to Orange
5 County and is very costly both in time and gas. I am in a financial position where I have to make
6 enough money to live. Plaintiff has never paid me any money and I cannot afford to do pro bono
7 work at this time.

8 Plaintiff made verbal promises to Attorney but never kept the promises.

9 Wherefore, I respectfully request this Court to issue an order relieving me as attorney of
10 record.

11 I declare under the penalty of perjury under the laws of the United States and the State of
12 California that the above statement is true and correct.

13 DATED this 10th day of February, 2012.

14
15 /s/ Diane Beall

16 DIANE BEALL, Attorney for Plaintiff
17
18
19
20
21
22
23
24
25
26