

The instant motion fails to indicate whether the motion was served either personally or by certified mail, restricted delivery, with return receipt requested on the withdrawing attorney's client. The motion further fails to provide evidence that counsel has provided his client with

notice containing (1) the admonition that the client is personally responsible for complying with all orders of the court and time limitations established by the rules of procedure or by court order, and (2) the dates of any pending trial, hearings or conferences in this case. The court therefore denies the motion for failure to comply with the local rules. Counsel may file a new motion that complies with D. Kan. Rule 83.5.5.

**IT IS THEREFORE ORDERED** that the Motion to Withdraw (Doc. 104) filed by plaintiff's appointed counsel, Jay D. DeHardt, is denied without prejudice.

Dated this 25th day of May 2006, at Kansas City, Kansas.

s/ Carlos Murguia

**CARLOS MURGUIA**  
**United States District Judge**