

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

TERRICE MICHELLE HALE,)	
)	
Plaintiff,)	
)	
vs.)	Case No. 07-4003-JAR
)	
WAL-MART STORES, INC., et al.)	
)	
Defendant.)	
_____)	

MEMORANDUM AND ORDER

On January 7, 2008, Magistrate Judge Sebelius entered an Order to Show Cause (Doc. 35) why this case should not be dismissed for Plaintiff's failure to prosecute, and directing Plaintiff to respond by January 23, 2008. Plaintiff timely filed a response (Doc. 36), pro se, on January 22. In her response, Plaintiff explained that sometime before December 28, 2007, she attempted to call her attorneys of record, and the law firm's phone was no longer in service. She called the Kansas Bar Association, which referred her to the Disciplinary Administrator. On December 28, 2007 she received her case file from the Disciplinary Administrator's office, and was informed that her attorneys of record were being supervised by that office. Plaintiff has since tried, thus far unsuccessfully, to retain another lawyer to represent her in this action.¹

Under these unfortunate circumstances, the Court finds that Plaintiff has shown cause for her failure to prosecute. Thus, the Court will not dismiss this case, but will give Plaintiff a

¹Defendant did not file a reply and has not argued that it has suffered prejudice.

reasonable opportunity to retain new counsel, or prepare to represent herself. After allowing Plaintiff this reasonable period of time to obtain representation, or prepare to proceed pro se, Judge Sebelius will schedule this case for a scheduling conference.

IT IS THEREFORE ORDERED, THAT ON OR BEFORE April 15, 2008, PLAINTIFF SHALL RETAIN NEW COUNSEL AND HAVE THEM FILE AN ENTRY OF APPEARANCE; OR

ON OR BEFORE APRIL 15, 2008, PLAINTIFF SHALL FILE A NOTICE WITH THE COURT THAT SHE IS REPRESENTING HERSELF AND PREPARED TO PROCEED.

IT IS FURTHER ORDERED THAT THE COURT WILL NOT FAVORABLY ENTERTAIN ANY FURTHER MOTIONS FOR AN EXTENSION OF TIME TO PROSECUTE THIS CASE.

IT IS SO ORDERED.

Dated this 7th day of March 2008.

S/ Julie A. Robinson
Julie A. Robinson
United States District Judge