

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

NEW YORK LIFE INSURANCE)
COMPANY,)
)
Plaintiff,)
)
v.)
)
CLAUDIA M. EAST, et al.,)
)
Defendants.)

Case No. 15-CV-1325-EFM-TJJ

MEMORANDUM AND ORDER

This matter is before the Court on Motion to Withdraw as Counsel for Defendant James McKown (ECF No. 27) filed by attorneys Rachael K. Pirner and Shane A. Rosson of Triplett, Woolf, & Garretson, LLC. Counsel request that they be allowed to withdraw from this action with respect to their client, Defendant James McKown. The deadline for filing a response to the Motion to Withdraw has passed and no response has been filed. As the relief requested would leave the client without counsel, movants must satisfy the requirements of D. Kan. Rule 83.5.5(a). Upon review, the Court concludes that the motion should be granted.

For the reasons stated in the Motion to Withdraw, good cause exists for counsel to withdraw, in that Mr. McKown has failed to communicate with his attorneys.¹

Movants have shown that Mr. McKown was personally served a copy of the Motion to Withdraw as Counsel for Defendant James McKown on April 5, 2016.² The only pending conference in this case was canceled pending the Court's ruling on the instant motion.

¹ See ECF No. 27 at 1.

² See Affidavit of Service (ECF No. 29) at 1.

From the date of service of this Order on the parties to this action, no further notices, papers or pleadings are to be served upon withdrawing counsel. All further notices, papers or pleadings to Defendant James McKown shall be served on him at the following address:

12025 Autumn Ridge Ct.
Wichita, KS 67235

Movants are hereby authorized to withdraw as counsel of record for Defendant James McKown in this case.

IT IS THEREFORE ORDERED that the Motion to Withdraw as Counsel for Defendant James McKown (ECF No. 27) is granted. The Court will allow Mr. McKown thirty (30) days to obtain new counsel, and for counsel to enter an appearance, before the Court sets this matter for a Scheduling Conference.³

IT IS FURTHER ORDERED that a copy of this Order is to be mailed to James McKown at the address listed above.

IT IS SO ORDERED.

Dated in Kansas City, Kansas on this 19th day of April, 2016.

s/ Teresa J. James
Teresa J. James
United States Magistrate Judge

³ See Order granting Motion to Continue Scheduling Conference (ECF No. 28).