

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS

KATHLEEN CARTER,)
)
 Plaintiff,)
)
 v.) Case No. 18-1335-EFM
)
 WALMART INC.,)
)
 Defendant.)

ORDER

The plaintiff, Kathleen Carter, filed this personal-injury case in the District Court of Reno County, Kansas on November 5, 2018, through her attorney, Michael C. Robinson. The defendant, Walmart Inc., removed the case to this federal court on December 10, 2018. Since that time, no attorney has entered an appearance on plaintiff’s behalf, and plaintiff has taken no other action. The court has contacted Mr. Robinson, who indicates he doesn’t practice in federal court and doesn’t plan to represent plaintiff in this case; evidently Mr. Robinson has made some efforts to find another lawyer to handle plaintiff’s case in this court, but thus far without success.

IT IS THEREFORE ORDERED that by **March 21, 2019**, plaintiff must hire a new lawyer, decide to represent herself, OR determine that she will not pursue this case. Either an entry of appearance by counsel on plaintiff’s behalf, or, if no attorney has been hired, a notice of plaintiff’s decision, must be filed by that date. Plaintiff is hereby warned that if

nothing is filed by March 21, 2019, this case will be subject to dismissal with prejudice to refiling.

IT IS FURTHER ORDERED that the scheduling conference currently set for February 12, 2019, is cancelled. By **March 29, 2019**, unless plaintiff indicates she doesn't intend to pursue the case, the parties shall confer as required by Fed. R. Civ. P. 26(f) and submit via e-mail to the undersigned magistrate judge's chambers a completed report of the planning conference. The court will then re-set the scheduling conference.

IT IS FURTHER ORDERED that, on the court's own motion, the deadline for plaintiff to respond to the motion to dismiss defendant filed on December 17, 2018 (see ECF No. 10) is extended to **March 21, 2019**. Plaintiff is warned that if no response to this motion is filed by the extended deadline, the court may grant the motion without further notice.

The Clerk is directed to send a copy of this order to plaintiff via certified and regular mail,¹ and to Mr. Robinson via regular mail.²

Dated February 4, 2019, at Kansas City, Kansas.

s/ James P. O'Hara
James P. O'Hara
U.S. Magistrate Judge

¹ As listed in ECF No. 1-1, plaintiff's address is 1805 E. 35th Ave., Hutchinson, KS 67502.

² Mr. Robinson's address is 421 W. First Ave., Suite A, Hutchinson, KS 67501.