



IT IS ORDERED as set forth below:

Date: August 1, 2014

Mary Grace Diehl

**Mary Grace Diehl
U.S. Bankruptcy Court Judge**

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

In re:	:	CASE NUMBER
	:	
MCNEILL STOKES,	:	12-66287-MGD
	:	
Debtor.	:	CHAPTER 11
	:	

ORDER REGARDING DEBTOR'S REPRESENTATION BY COUNSEL

McNeill Stokes filed an "Appearance of Counsel" and a Response to OneWest Bank FSB's Motion for Relief from Stay on July 29, 2014. (Docket Nos. 66-68). Mr. Stokes is the individual Chapter 11 Debtor in this case and is also authorized to practice law and is a member of the Georgia Bar. Paul Reece Marr has been employed in this case and is Debtor's counsel of record. (Docket No. 19). At the July 31, 2014 hearing on OneWest's Relief from Stay motion, where both Mr. Stokes and Mr. Marr were present, the Court raised certain issues with the "Appearance of Counsel" filed by Mr. Stokes.

Section 327(a) of the Bankruptcy Code authorizes employment of professional persons only if such persons do not hold or represent an interest adverse to the estate and are "disinterested

persons," as that term is defined in section 101(14) of the Code. Mr. Stokes, as the Debtor himself, is clearly not disinterested.

Accordingly, Mr. Stokes may assist Mr. Marr, as any client it permitted to do, however, Mr. Stokes cannot serve as counsel to himself because he cannot meet the requirements to be employed under Section 327(a). Mr. Stokes also has the right to proceed *pro se*, 28 U.S.C. § 1654, which would also require an order from this Court permitted Mr. Marr to withdrawal as counsel or for Debtor and Mr. Marr to file a certificate of consent to withdrawal as provided by Local Rule 9010-5(c). Generally, as provided by our Local Rules, a party represented by an attorney must appear and act through such attorney, including the filing of papers and pleadings. As such, it is

ORDERED that Mr. Marr remains counsel for Debtor and Section 327(a) does not permit Mr. Stokes to serve as counsel or co-counsel in his own Chapter 11 case.

The Clerk shall serve a copy of this Order upon Debtor, counsel for Debtor, and the U.S. Trustee.

END OF DOCUMENT