

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS

Jesse Adams, et al. v. Staci Lean Fruth, et al.

Adams v. Fruth · No. 23-1270-EFM-BGS · Decided May 27, 2026

SUMMARY

The United States District Court for the District of Kansas grants attorney Kevin M. McMaster’s motion to withdraw as counsel for Jayme Lewis, administrator of the estate of Victor Lee Adams, and Jesse Adams. The order permits Jesse Adams to proceed pro se, instructs Jayme Lewis that the estate must be represented by counsel, sets an in-person conference, extends the deadline to respond to a sanctions motion, and warns that failure to comply may result in dismissal for failure to prosecute.

CASE DETAILS

COURT	United States District Court for the District of Kansas
WRITING FOR THE COURT	Brooks G. Severson
DECIDED	May 27, 2026
DOCKET	23-1270-EFM-BGS
DISPOSITION	other
PROCEDURAL POSTURE	The court considered plaintiffs' counsel's motion to withdraw from representation of Jesse Adams and Jayme Lewis, administrator of the estate of Victor Lee Adams. The motion was granted as uncontested after service and expiration of the response period.
STANDARD OF REVIEW	The court evaluated the motion under D. Kan. Rule 83.5.5(a), determining whether good cause existed and whether withdrawal was permissible under applicable professional-conduct rules, and treated the motion as uncontested under D. Kan. Rules 6.1 and 7.1.
PRECEDENTIAL VALUE	Nonprecedential district-court order

TOPICS

- probate procedure
- estate administration
- civil procedure
- probate

PRACTICE AREAS

- Civil procedure
- Probate and estate litigation
- Professional responsibility

QUESTIONS PRESENTED

1. Whether counsel demonstrated good cause and complied with service and notice requirements permitting withdrawal from representing the plaintiffs.
2. Whether Jesse Adams may proceed pro se individually.
3. Whether Jayme Lewis may proceed pro se on behalf of the estate when the estate has other beneficiaries.

HOLDINGS

1. The motion to withdraw was granted because counsel demonstrated good cause, withdrawal was permissible under the applicable professional-conduct rules, the plaintiffs were served, and the motion was uncontested.
2. Jayme Lewis, a non-attorney administrator, may not appear pro se on behalf of the estate because the estate has other beneficiaries; counsel must enter an appearance for the estate.
3. Jesse Adams may proceed pro se in his individual capacity and is personally responsible for complying with court orders until he retains new counsel.

KEY QUOTATIONS

“The right to appear pro se only applies to the “appearance for one’s self.”” (at 3)

“A non-attorney administrator may not proceed pro se when there are other beneficiaries of the estate.” (at 3)

FACTUAL BACKGROUND

Attorney Kevin M. McMaster sought to withdraw from representing Jesse Adams and Jayme Lewis, administrator of the estate of Victor Lee Adams. Counsel provided the plaintiffs with required warnings concerning court orders, deadlines, and upcoming proceedings, and served the motion through certified mail and electronic mail after continued efforts. The motion was uncontested, and the court noted that the estate had beneficiaries other than Lewis.

PROCEDURAL HISTORY

The action was pending in the United States District Court for the District of Kansas. Attorney Kevin M. McMaster moved to withdraw as counsel for Jesse Adams and Jayme Lewis in her capacity as estate administrator. The court found good cause, adequate service, and no opposition, granted withdrawal, allowed Jesse Adams to proceed pro se, instructed Lewis that the estate must be represented by counsel, set an in-person conference, and extended the deadline to respond to a pending sanctions motion.

DISPOSITION

other

CASES CITED

- Draughon v. United States, 103 F. Supp. 3d 1266, 1284 (D. Kan. 2015)
- Jones ex rel. Jones v. Corr. Med. Servs., Inc., 401 F.3d 950, 951-52 (8th Cir. 2005)

