

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO

Jamie Lee Saunders v. Albertsons/Safeway, LLC, and United Food and Commercial Workers Union, Local #7

Saunders · No. 1:24-cv-00814-PAB-SBP · Decided December 10, 2025

SUMMARY

The United States District Court for the District of Colorado denied Plaintiff Jamie Lee Saunders’s motion to vacate the order permitting her former attorney to withdraw. The court also declined to appoint pro bono counsel, order a case-file accounting or specified document production, or grant requested financial and protective relief.

CASE DETAILS

COURT	United States District Court for the District of Colorado
WRITING FOR THE COURT	Susan Prose
JURISDICTION	United States District Court for the District of Colorado
DECIDED	December 10, 2025
DOCKET	1:24-cv-00814-PAB-SBP
DISPOSITION	denied
PROCEDURAL POSTURE	The court ruled on Plaintiff's motion to vacate the order permitting her former attorney to withdraw, appoint pro bono counsel, obtain additional case-file materials, require a financial accounting, and issue protective relief.
STANDARD OF REVIEW	The court considered whether Plaintiff had shown grounds to vacate or reconsider the prior order and whether the requested relief was legally justified. The opinion does not identify a formal standard of review.
PRECEDENTIAL VALUE	Unknown; district court order with no reported citation
PARTIES	Jamie Lee Saunders v. Albertsons/Safeway, LLC, United Food and Commercial Workers Union, Local #7

TOPICS

- motion for reconsideration
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court should vacate the order permitting Plaintiff's former attorney to withdraw and appoint pro bono counsel.
2. Whether Plaintiff was entitled to an order requiring former counsel to provide a specific accounting or additional materials from her case file.
3. Whether Plaintiff was entitled to a financial accounting or protective relief against alleged retaliation or procedural disadvantage by former counsel.

HOLDINGS

1. The court denied the request to vacate the withdrawal order and appoint pro bono counsel because Plaintiff identified no basis to reconsider the withdrawal order and did not show that the legal issues were sufficiently complex to justify appointed counsel.
2. The court denied the request because Plaintiff did not identify specific missing materials or establish an entitlement to an accounting of the case file's contents.
3. The court denied the requests because Plaintiff did not explain with specificity why a court-ordered financial accounting was necessary or justified, how former counsel might retaliate, or what protective relief she sought.

KEY QUOTATIONS

“*[T]he right to counsel in a civil case is not a matter of constitutional right under the Sixth Amendment.*”
(Analysis)

FACTUAL BACKGROUND

Plaintiff's former attorney withdrew after an apparent irreconcilable conflict, and Plaintiff proceeded pro se as a result. Plaintiff alleged that former counsel engaged in unethical behavior and sought appointment of pro bono counsel, access to an organized and complete case file, a financial accounting, and protection against alleged retaliation or procedural disadvantage. The court found that Plaintiff had not shown uniquely complex legal issues, identified specific missing case materials, justified a financial accounting, or specified the protective relief sought.

PROCEDURAL HISTORY

Plaintiff's former attorney moved to withdraw, and the court entered an order permitting the withdrawal. Plaintiff subsequently filed a motion to vacate that order and requested appointment of pro bono counsel, return or accounting of case-file materials, a financial accounting, and protective relief. The motion was referred to Magistrate Judge Susan Prose under 28 U.S.C. § 636(b)(1), and the court denied it in its entirety.

DISPOSITION

denied

CASES CITED

- MacCuish v. United States, 844 F.2d 733, 735 (10th Cir. 1988)
- Sinclair Wyo. Ref. Co. v. A & B Builders, Ltd., 989 F.3d 747, 783 (10th Cir. 2021)
- Morales-Fernandez v. INS, 418 F.3d 1116, 1119, 1122 (10th Cir. 2005)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO Civil Action No. 1:24-cv-00814-PAB-SBP JAMIE LEE SAUNDERS, Plaintiff, v. ALBERTSON'S/SAFEWAY, LLC, and UNITED FOOD AND COMMERCIAL WORKERS UNION, LOCAL #7, Defendants. ORDER Susan Prose, United States Magistrate Judge. This matter comes before the court on Plaintiff Jamie Lee Saunders ("Plaintiff")'s Motion to Vacate ("Motion").

ECF No. 63. The undersigned considers the Motion pursuant to the Order of Reference, ECF No. 64, the memorandum referring the Motion, ECF No. 65, and 28 U.S.C. § 636(b)(1). The court has reviewed the Motion, the related filings, and the applicable law.

For the reasons set forth below, the Motion is DENIED. I. ANALYSIS The court assumes familiarity with the underlying allegations and procedural history in this matter, which is largely irrelevant for the purpose of ruling upon the Motion except as addressed below. Plaintiff has moved to, inter alia, vacate the court's order granting her former attorney's motion to withdraw.

See ECF No. 55. The Motion is denied for the following reasons. First, Plaintiff argues that the court should vacate the order permitting Plaintiff's former counsel to withdraw, clarify that Plaintiff did not request to proceed pro se, and appoint pro bono counsel. Plaintiff has not stated any reason to reconsider the court's order granting her attorney's motion to withdraw; in fact, Plaintiff continues to argue in her Motion that her attorney had engaged in "clearly unethical behavior," see Motion at 5, which lends support to her former counsel's position that Plaintiff and former counsel had an irreconcilable conflict.

The court agrees that Plaintiff assumed pro se status because her attorney moved to withdraw, not because she requested to. Upon review of the Motion and the docket in this case, the court does not find that the legal issues presented in Plaintiff's claims are so uniquely complex as to justify appointed counsel. "[T]he right to counsel in a civil case is not a matter of constitutional right under the Sixth Amendment." MacCuish v. United States, 844 F.2d 733, 735 (10th Cir.

1988). Plaintiff also requests that the court order "the return of Plaintiff's complete case file, including original digital documents, communications, disclosures, metadata, and expert

materials.” However, Plaintiff does not actually appear to allege that she lacks access to her entire file. Instead, she states that she received “disorganized paper copies” and “a USB drive that lacks essential organizational elements” while noting that she was not provided with “an accounting of contents and access to the Team Dropbox platform.” Plaintiff has not argued or shown that she is entitled to a specific accounting of her file’s contents, nor has she alleged that the paper copies she was provided did not adequately comprise her complete case file.

To the extent that Plaintiff believes she is missing specific material from her case file and can articulate what material is missing with specificity to the court, she may request that material within a renewed motion. Requests that fail to identify specific material missing from Plaintiff’s case file will not be granted.

Finally, Plaintiff requests that the court order “a full financial accounting of all funds paid and expended” and that the court issue “appropriate protective relief” to prevent retaliation or “procedural disadvantage” from her former attorney. Plaintiff does not explain these requests with specificity or otherwise address why the court’s intervention to order “a full financial accounting of all funds paid and expended” would be necessary or justified here.

Plaintiff also does not address how or why she believes her former attorney will “retaliate” against her, nor does she specify the “appropriate protective relief” she believes she is entitled to. Accordingly, Plaintiff’s Motion must be denied in its entirety. II. CONCLUSION For the reasons above, the court DENIES Plaintiff’s Motion to Vacate. DATED: December 10, 2025 BY THE COURT: Susan Prose United States Magistrate Judge ' Rule 72 of the Federal Rules of Civil Procedure provides that within fourteen (14) days after service of a Magistrate Judge’s order or recommendation, any party may serve and file written objections with the Clerk of the United States District Court for the District of Colorado.

28 U.S.C. §§ 636(b)(1)(A), (B); Fed. R. Civ. P. 72(a), (b). Failure to make any such objection will result in a waiver of the right to appeal the Magistrate Judge’s order or recommendation. See *Sinclair Wyo. Ref. Co. v. A & B Builders, Ltd.*, 989 F.3d 747, 783 (10th Cir. 2021) (firm waiver rule applies to non-dispositive orders); but see *Morales-Fernandez v. INS*, 418 F.3d 1116, 1119, 1122 (10th Cir.

2005) (firm waiver rule does not apply when the interests of justice require review, including when a “pro se litigant has not been informed of the time period for objecting and the consequences of failing to object”).