

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

Latasha Loper,)	CASE NO. 1:16 CV 2358
)	
Plaintiff,)	JUDGE DONALD C. NUGENT
)	
v.)	
)	<u>MEMORANDUM OPINION</u>
The Muny League Football)	<u>AND ORDER</u>
Organization, et al.,)	
)	
Defendants.)	
)	

Plaintiff Latasha Loper, proceeding *pro se* and *in forma pauperis*, has filed this federal civil rights action against the Muny League Football Organization and the City of Cleveland Division of Recreation on behalf of her minor child. She alleges the Defendants have discriminated against her child on the basis of a disability in violation of the Americans with Disabilities Act (ADA) in connection with playing opportunities that have been afforded him in Muny League football. She seeks damages on behalf of her child for “mental anguish and discrimination,” as well as an order that he receive his trophy and be allowed to play, and that Director Dunn, Coach Hardaway, Officer Smitty, and Tim Wells be removed and reprimanded.

Although 28 U.S.C. §1654 provides that “[i]n all courts of the United States the parties may plead and conduct their own cases personally or by counsel,” that statute does not permit plaintiffs to appear *pro se* when interests other than their own are at stake. *Shepherd v. Wellman*, 313 F.3d 963, 970 (6th Cir.2002) (citing *Iannoccone v. Law*, 142 F.3d 553, 558 (2nd Cir.1998)). Thus, parents cannot appear *pro se* on behalf of their minor children because a minor’s personal cause of

action is his or her own and does not belong to the parent or representative. *Shepherd*, 313 F.3d at 970-971 (citing *Cheung v. Youth Orch. Foundation of Buffalo, Inc.*, 906 F.2d 59, 61 (6th Cir.1990)).

Thus, the Plaintiff cannot represent her minor child in this action under the ADA.

Conclusion

Accordingly, this action is dismissed without prejudice for lack of representation. The Court further certifies, pursuant to 28 U.S.C. §1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

/s/Donald C. Nugent
DONALD C. NUGENT
UNITED STATES DISTRICT JUDGE

Dated: __10/31/16__