

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

PAUL WOODS,

Plaintiff,

v.

B D & S SERVICE, INC.,

Defendant.

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CIVIL ACTION 11-0711-WS-N

ORDER

This matter comes before the Court on correspondence and a marked-up copy of the Complaint filed by Al Brewton, President of BD&S Services, Inc. (*See* doc. 13.) In that correspondence, Brewton requests that “the court dismiss this case based on false information being provided by the plaintiff, and no wrong doing found in the investigation of the EEOC.” Defendant’s *pro se* request for dismissal of the Complaint is **denied**.

The threshold problem with this filing is that it was not submitted by an attorney, and no lawyer appears to be representing BD&S Services at this time. The law is crystal clear that a corporation or other artificial entity cannot appear in federal court unless it is represented by counsel. *See, e.g., Rowland v. California Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S. 194, 201-02, 113 S.Ct. 716, 121 L.Ed.2d 656 (1993) (“It has been the law for the better part of two centuries ... that a corporation may appear in the federal courts only through licensed counsel.”); *Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385 (11th Cir. 1985) (“The rule is well established that a corporation is an artificial entity that ... cannot appear *pro se*, and must be represented by counsel.”); *United States v. Hagerman*, 545 F.3d 579, 581 (7th Cir. 2008) (“A corporation is not permitted to litigate in a federal court unless it is represented by a lawyer licensed to practice in that court.”); *Udoinyion v. The Guardian Security*, 2011 WL 3911087, *3 (11th Cir. Sept. 7, 2011) (“A corporation is an artificial entity that cannot appear *pro se* and must be represented by counsel.”).

Simply put, BD&S Services cannot represent itself in this proceeding, nor can its corporate officers, owners or employees file papers in this case on behalf of that entity unless they are licensed attorneys. For this reason, it is imperative that BD&S Services retain counsel immediately if it wishes to be heard or to defend against this action. BD&S Services is therefore **ordered**, on or before **April 10, 2012**, to notify the Court in writing via notice of appearance of the name, address, and telephone number of the counsel it has retained to represent its interests in this action. **Failure to comply with this Order in a timely manner may result in entry of default or other sanctions against defendant BD&S Services upon motion by plaintiff.**

The Clerk of Court is **directed** to mail a copy of this Order to BD&S Services, Inc., c/o Al Brewton, President, 220 East Claiborne Street, Monroeville, AL 36460.

DONE and ORDERED this 20th day of March, 2012.

s/ WILLIAM H. STEELE
CHIEF UNITED STATES DISTRICT JUDGE