

1 **WO**

2

3

4

5

6

IN THE UNITED STATES DISTRICT COURT

7

FOR THE DISTRICT OF ARIZONA

8

9

Sawtooth Capital LLC,

)

No. CV 12-466-PHX-FJM

10

Plaintiff,

)

ORDER

11

vs.

)

12

Bernardita Tehrani et al,

)

13

Defendant.

)

14

)

15

16

Plaintiff filed a complaint on its own behalf on March 6, 2012, accompanied by a check for the filing fee in the amount of \$350.00. The check bounced and plaintiff was advised by the clerk to remit a cashier's check or money order for \$403.00 (including an NSF check fee of \$53.00). Instead, plaintiff filed a Motion to Proceed in Forma Pauperis. (Doc. 3). The motion will be denied for two separate and independent reasons. First, an LLC cannot appear pro se. It must be represented by counsel. Second, the Motion fails to comply with LRCiv 3.3.

23

We note also that the document purporting to be a complaint (doc. 1) would be subject to dismissal for violating Rule 8(a), Fed. R. Civ. P. which limits complaints to " a short and plain statement".

26

Accordingly, it is ORDERED DENYING plaintiff's Motion to Proceed in Forma Pauperis. (Doc. 3). It is further ORDERED DISMISSING plaintiff's complaint without prejudice for violating Rule 8(a), Fed. R. Civ. P.

28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

We urge plaintiff to seek the advice of a lawyer admitted to practice in this District. If the LLC does not have one, it may wish to contact the Lawyer Referral Service of the Maricopa County Bar Association at 602-257-4434.

DATED this 3rd day of April, 2012.

Frederick J. Martone

Frederick J. Martone
United States District Judge