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2 NOT FOR PUBLICATION

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6 **IN THE UNITED STATES DISTRICT COURT**

7 **FOR THE DISTRICT OF ARIZONA**

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9 Jim Kanelos, as a single man,) No. CV-10-8099-PCT-GMS

10 Plaintiff,)

11 vs.) **ORDER**

12 County of Mohave, a government entity;)
13 Mohave County Board of Supervisors, an
14 elected governing body; Mohave County
15 Attorney, a mandated administrative
16 division of Mohave County Government;)
17 Mr. Ron Walker, individually and as
18 Mohave County Manager (an appointed
19 position); Mr. Matt Smith, individually
20 and as Mohave County Attorney (an
21 elected position); Mr. Bill Ekstrom,)
22 individually and as Deputy Mohave
23 County Attorney (a staff position); Mr.)
24 Buster Johnson, individually and as
25 Mohave County Supervisor (an elected
26 position); Mr. Tom Stockwell, individually
27 and as Mohave County Supervisor (an
28 elected position); Mr. Gary Watson,)
29 individually and as Mohave County
30 Supervisor (an elected position); John)
31 Does A-Z and Jane Does A-Z,)

Defendants.)

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25 Pending before the Court are Plaintiff’s Motion to Continue (Doc. 9) and Motion to
26 Change Venue (Doc. 10); and Motion for Join[d]er (Doc. 14) filed by Western States
27 Constitutionalist Alliance, Inc. (“Western States”).

28 The proposed Plaintiff Western States being an organization must be represented by

1 counsel. Only licensed attorneys may represent a corporation or other association in federal
2 court. *Rowland v. Cal. Men's Colony, Unit II Men's Advisory Counsel*, 506 U.S. 194,
3 201-202 (1993) (“It has been the law for the better part of two centuries . . . that a corporation
4 may appear in federal courts only through licensed counsel.”) (citing *Osborn v. President of*
5 *Bank of U.S.*, 9 Wheat. 738, 829, 6 L.Ed. 204 (1824)); *D-Beam Ltd. P'ship v. Roller Derby*
6 *Skates, Inc.*, 366 F.3d 972, 973-74 (9th Cir. 2004) (“It is a longstanding rule that
7 ‘corporations and other unincorporated associations must appear in court through an
8 attorney.’”) (alteration and citation omitted); *In re Am. W. Airlines*, 40 F.3d 1058, 1059 (9th
9 Cir. 1994) (“Corporations and other unincorporated associations must appear in court
10 through an attorney.”); *United States v. High Country Broad. Co.*, 3 F.3d 1244, 1245 (9th
11 Cir. 1993) (holding that a corporation’s president and sole shareholder could not make an
12 “end run around” the counsel requirement by intervening pro se rather than retaining counsel
13 to represent the corporation) (citing 28 U.S.C. 1654).

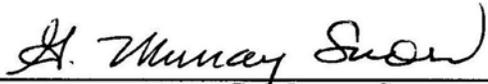
14 Western States’ attempt to file a separate suit and then move for joinder is not possible
15 until, at minimum, it complies with this and other Rules of Court. Plaintiff Kanelos therefore
16 provides no basis on which to continue the scheduling conference.

17 Plaintiff’s Motion to Change Venue will be denied as moot. This action is already
18 assigned to the Prescott Division. Therefore,

19 **IT IS HEREBY ORDERED:**

- 20 1. Plaintiff’s Motion to Continue (Doc. 9) is denied.
21 2. Plaintiff’s Motion to Change Venue (Doc. 10) is denied as moot.
22 3. Western States Constitutionalist Alliance, Inc.’s Petition for Join[d]er (Doc.
23 14) is denied.

24 DATED this 14th day of July, 2010.

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G. Murray Snow
United States District Judge