

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

JINNA E. MILLER,

Plaintiff,

v.

ABBOTT LABORATORIES et al.,

Defendants.

Case No. 2:22-cv-05133-SB-AS

ORDER TO SHOW CAUSE


Plaintiff Jinna Miller filed this suit pro se in state court, alleging claims as conservator for her half-brother, Julian Fisher, a physically and mentally impaired adult. Defendants Abbott Laboratories and AbbVie, Inc. removed the case based on diversity jurisdiction. Dkt. No. [1](#).

Local Rule [83-2.2.1](#) provides that “[a] non-attorney guardian for a minor or incompetent person must be represented by counsel.” See also [Equity Tr. Co. v. Brickhaven Condo. Ass’n](#), No. EDCV 15-2367-JFW (DTBx), 2016 WL 8856651, at *5 (C.D. Cal. Apr. 25, 2016) (“As courts have routinely found, *pro se* plaintiffs cannot pursue claims on behalf of others in a representative capacity.” (collecting cases)); cf. [Johns v. Cnty. of San Diego](#), 114 F.3d 874, 877 (9th Cir. 1997) (“It goes without saying that it is not in the interest of minors or incompetents that they be represented by non-attorneys. . . . [W]e hold that a parent or guardian cannot bring an action on behalf of a minor child without retaining a lawyer.”). Nothing in the record suggests that Plaintiff Jinna Miller is a licensed attorney. Accordingly, it appears that Plaintiff is unable to prosecute her case on behalf of Fisher in this Court unless she is represented by counsel.

Plaintiff is therefore **ORDERED** to show cause in writing no later than **August 12, 2022**, why this case should not be dismissed without prejudice. If

Plaintiff fails to respond to this order by August 12, the Court will deem her to have consented to the dismissal of this case without prejudice.

Date: August 1, 2022



Hon. Stanley Blumenfeld, Jr.
United States District Judge