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8 Attorney for Plaintiff
 9 DARRIUS BURTON by and through
 10 her guardian ad litem SHERRY JONES

FILED
 APR 17 2009
 CLERK, U.S. DISTRICT COURT
 EASTERN DISTRICT OF CALIFORNIA
 BY _____
 DEPUTY CLERK

11
 12 **UNITED STATES DISTRICT COURT**
 13 **EASTERN DISTRICT OF CALIFORNIA**

14 DARRIUS BURTON, by and
 15 through his guardian ad litem,
 16 SHERRY JONES,
 17 Plaintiff,

18 vs.

19 MICHAEL J. ASTRUE,
 20 COMMISSIONER OF SOCIAL
 21 SECURITY,
 22 Defendant

Case No.: 1:07-cv-01481
 PETITION FOR GUARDIAN AD
 LITEM; AND ORDER
 (42 U.S.C. § 405 (g))

23 PETITIONER Darrius Burton by and through his mother Sherry Jones
 24 respectfully presents:

- 25 1. Petitioner is a minor.
- 26 2. Petitioner is the son of Sherry Jones. Sherry Jones has custody of
 27 petitioner.

(SS) Burton v. CSS

Doc. 28

1 3. The minor has a cause of action against the above-named defendant on
2 which a suit should be brought in this court. The cause of action arises under the
3 provisions of the Social Security Act, Title XVI.

4 4. The petitioner has no guardian of his estate.

5 5. Sherry Jones is willing to serve as guardian ad litem of the petitioner and
6 is fully competent to understand and protect the rights of the minor and to have no
7 interest adverse to that of the minor.

8 6. Petitioner has contracted with Lawrence D. Rohlfing, Attorney at Law,
9 with an office located at 12631 E. Imperial Highway, Suite C-115, Santa Fe
10 Springs, California to prosecute the cause of action for the minor.

11 WHEREFORE, petitioner prays that Sherry Jones or some other proper
12 person can be appointed as guardian ad litem for Darrius Burton to prosecute the
13 above-described cause of action on behalf of Darrius Burton.

14 DATE: September 27, 2007 Sherry Jones
15 Sherry Jones

16
17 Respectfully submitted,
18 LAW OFFICE OF LAWRENCE D. ROHLFING

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20 BY: /s/ Brian C. Shapiro
21 Brian C. Shapiro
22 Attorney for plaintiff Darrius Burton
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VERIFICATION

I, Sherry Jones, am the mother of the petitioner in the above-entitled proceeding. I have read the foregoing petition and know the contents thereof. Said petition is true of my own knowledge, except as to those matters which are presented on an information and belief, and as to those matters, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

DATE: September 27, 2007

Sherry Jones
Sherry Jones

CONSENT OF APPOINTMENT

I hereby consent to act as guardian ad litem for the minor DARRIUS BURTON

Sherry Jones
Sherry Jones

ORDER APPOINTING GUARDIAN AD LITEM

The court having considered the petition of Darrius Burton for the appointment of Sherry Jones as guardian ad litem for Darrius Burton who is a minor and good cause appearing therefore.

IT IS HEREEBY ORDERED that Sherry Jones be, and she is, hereby appointed as guardian ad litem for Darrius Burton, a plaintiff in the above-entitled action, and she is authorized to institute and prosecute the action mentioned in the petition.

DATE: 4/17/09

Yunc pro
Yunc fo
10/09/07
SMS

SM Snyder
United States Magistrate Judge
SM SNYDER

for Tim *See letter*



Other Orders/Judgments

1:07-cv-01481-BAK (SS) Burton v. CSS
BAK_SMS, CONSENT, SOCIAL_SECURITY

Make sure your entry has this in the text window.
KS
AR
4/17

U.S. District Court

Eastern District of California - Live System

Notice of Electronic Filing

The following transaction was entered on 4/17/2009 at 1:58 PM PDT and filed on 4/17/2009

Case Name: (SS) Burton v. CSS

Case Number: 1:07-cv-1481

Filer:

Document Number: 27(No document attached)

Docket Text:

MINUTE ORDER *TEXT Only***: Due to clerical oversight, the petition for guardian ad litem [4] and order thereon, filed 10/09/07, was overlooked. Contemporaneous with the posting of this minute order, the Court has signed and filed the order appointing guardian ad litem, nunc pro tunc to 10/09/07, signed by Judge Sandra M. Snyder on 4/17/2009. (Herman, H)**

1:07-cv-1481 Electronically filed documents will be served electronically to:

Commissioner of Social Security sf.ogc.ndca@ssa.gov, ODAR.OAO.COURT.1@ssa.gov, usacae.ecfsocsec@usdoj.gov

Benjamin E. Hall, ss Benjamin.Hall@usdoj.gov, paulette.tremblay@usdoj.gov, Usacae.ecffrsgen@usdoj.gov

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Leo R Montenegro Leo.R.Montenegro@ssa.gov

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