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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

LATONIA JONES,	CASE NO. 1:09-cv-00203 DLB PC
Plaintiff,	ORDER CONSTRUING ACTION AS
v.	INDIVIDUAL CIVIL SUIT
FRESNO COUNTY JAIL,	(Doc. 1)
Defendant.	

Plaintiff Latonia Jones (“Plaintiff”) is a prisoner proceeding pro se in this civil rights action. Plaintiff filed this action on February 2, 2009.

The court is required to screen complaints brought by prisoners seeking relief against a governmental entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). The court must dismiss a complaint or portion thereof if the prisoner has raised claims that are legally "frivolous or malicious," that fail to state a claim upon which relief may be granted, or that seek monetary relief from a defendant who is immune from such relief. 28 U.S.C. § 1915A(b)(1),(2).

The court has a large number of prisoner civil rights cases pending before it and has not yet screened Plaintiff’s complaint. However, upon cursory review of the complaint, Plaintiff states that this is a class action. Plaintiff is not an attorney and is proceeding without counsel. A non-attorney proceeding pro se may bring his own claims to court, but may not represent others. Fymbo v. State Farm Fire & Casualty Co., 213 F.3d 1320, 1321 (2000); Johns v. County of San Diego, 114 F.3d 874, 876 (9th Cir. 1997); C. E. Pope Equity Trust v. United States, 818 F.2d 696, 697 (9th Cir. 1987). A pro se litigant simply cannot “fairly and adequately protect the interests of the class.” Fed.

1 R. Civ. P. 23(a)(4); Fymbo, 213 F.3d at 1321. Therefore, this action will be construed as an
2 individual civil suit brought by plaintiff rather than as a class action.

3 IT IS SO ORDERED.

4 **Dated: February 19, 2009**

/s/ Dennis L. Beck
UNITED STATES MAGISTRATE JUDGE

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