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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

KEE LEE, et al.,)	1:11cv0881 AWI DLB
)	
)	
Plaintiffs,)	ORDER REGARDING APPLICATION TO
)	PROCEED IN FORMA PAUPERIS
v.)	
)	
UNITED STATES DEPARTMENT OF)	
AGRICULTURE, et al.,)	
)	
Defendants.)	

Plaintiffs Kee Lee, Song Yang and Chins Market and Kitchen filed the instant complaint on May 31, 2011. However, only Plaintiff Kee Lee submitted an application to proceed in forma pauperis. If Plaintiff Song Yang is not a minor and wishes to proceed as a plaintiff in this action, then Song Yang must submit a separate application to proceed in forma pauperis.¹ If Song Yang is a minor and Plaintiff Lee wishes to proceed on Song Yang’s behalf, then Plaintiff Lee must submit an application for appointment of a guardian ad litem. Plaintiff Lee is forewarned, however, that a non-attorney parent or guardian cannot bring an action on behalf of a minor child without retaining an attorney. Johns v. County of San Diego, 114 F.3d 874, 877 (9th Cir. 1997).

Accordingly, within **thirty (30) days** of the date of this order: (1) Plaintiff Song Yang must submit an application to proceed in forma pauperis; OR (2) Plaintiffs must submit an

¹Additionally, Plaintiff Song Yang did not sign the complaint. All pleadings must be signed by the party involved if that party is appearing *in propria persona*. Fed. R. Civ. P. 11(a); Local Rule of Practice for the Eastern District of California (“Local Rule”) 131(b).

1 application for appointment of a guardian ad litem *and* proof of representation.

2 As to Chins Market and Kitchen, Plaintiffs are informed that a corporation or other entity
3 may appear only by an attorney. Local Rule 183(a). Further, only natural persons may proceed
4 in forma pauperis under 28 U.S.C. § 1915. Therefore, Chins Market and Kitchen must submit
5 proof of representation and payment of the filing **within thirty (30) days** of the date of this
6 order. If the parties fail to comply with this order, then Song Yang and Chins Market and
7 Kitchen will be dismissed from this action without prejudice. Complete failure to respond to this
8 order will result in a recommendation that this action be dismissed.

9
10 IT IS SO ORDERED.

11 Dated: June 1, 2011

/s/ Dennis L. Beck
12 UNITED STATES MAGISTRATE JUDGE
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