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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

CLARENCE LEON DEWS,

Plaintiff,

v.

STATE WATER SYSTEM
I.D. #1510802, et al.,

Defendants.

CASE NO. 1:12-cv-01398-AWI-SKO PC

ORDER DENYING MOTIONS TO JOIN AS
CO-PLAINTIFFS AND DIRECTING CLERK'S
OFFICE TO SERVE COURTESY COPY OF
ORDER ON INMATES WALKER AND
ADDERLEY

(Docs. 9 and 10)

Plaintiff Clarence Leon Dews, a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on August 17, 2012. On November 19, 2012, inmates Donald Walker and Du’Kwan Adderley filed motions seeking to join in this action as co-plaintiffs.

Plaintiff Dews is proceeding pro se and he may not represent the interests of any other inmates in this action. Simon v. Hartford Life, Inc., 546 F.3d 661, 664-65 (9th Cir. 2008); Fymbo v. State Farm Fire & Casualty Co., 213 F.3d 1320, 1321 (10th Cir. 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).

Further, the Court will not permit inmates Walker and Adderley to join as co-plaintiffs proceeding pro se. Courts have broad discretion regarding the permissive joinder of parties. Fed. R. Civ. P. 20, 21; see Coleman v. Quaker Oats Co., 232 F.3d 1271, 1296-97 (9th Cir. 2000); Maddox v. County of Sacramento, No. 2:06-cv-0072-GEB-EFB, 2006 WL 3201078, *2 (E.D.Cal. Nov. 6, 2006). The need for all co-plaintiffs to agree upon and sign all filings becomes almost impossibly burdensome where the plaintiffs are incarcerated and it may become impossible if the plaintiffs can no longer verbally communicate with one another as a result of transfer to different prisons or even

1 transfer to different yards within a single prison.¹ Indeed, although inmates Walker and Adderley
2 each filed a motion, Plaintiff Dews did not sign either motion.

3 Due to the significant and sometimes insurmountable complications which result from
4 multiple incarcerated plaintiffs proceeding pro se in the same action and because none of the inmates
5 may represent the others in the action, inmates Walker and Adderley's motions to join as co-
6 plaintiffs are HEREBY ORDERED DENIED. See Campbell v. Burt, 141 F.3d 927, 931 (9th Cir.
7 1998) (affirming denial of joinder motion where proposed parties did not indicate a desire to join and
8 the pro se litigant plaintiff could not represent their interests in court).

9 The Clerk's Office is DIRECTED to serve a courtesy copy of this order on Donald Walker,
10 CDCR #G-2252, and Du'Wan Adderley, CDCR # G-63513, at Kern Valley State Prison.

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12 IT IS SO ORDERED.

13 **Dated:** December 28, 2012

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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¹ Inmates may not correspond with other inmates in the absence of written authorization from the warden.
Cal. Code Regs., tit. 15, § 3139.