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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

G. J. GUTIERREZ,  
Plaintiff,  
vs.  
A. GUTIERREZ,  
Defendant.

1:13-cv-00421-GSA-PC  
ORDER STRIKING INMATE WILLIAM  
MILTON'S RESPONSE AS IMPROPER  
FILING  
(Doc. 30.)

G. J. Gutierrez ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis with this civil rights action pursuant to 42 U.S.C. § 1983. This case now proceeds on the initial Complaint filed by Plaintiff on March 22, 2013, against defendant Correctional Officer A. Gutierrez ("Defendant") for use of excessive force and failure to protect Plaintiff. (Doc. 1.)

On July 31, 2014, Defendant filed a motion to strike Plaintiff's opposition to Defendant's motion to dismiss. (Doc. 28.) On August 1, 2014, the court issued an order granting Defendant's motion to strike, and striking Plaintiff's opposition for lack of signature. (Doc. 29.)

On August 11, 2014, inmate William Milton, a non-party to this action, filed a response to Defendant's motion to strike, in which he informs the court that he is assisting Plaintiff with this case and opposes the motion to strike. (Doc. 30.)

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1 A non-lawyer may not represent anyone but himself or herself in court. Johns v.  
2 County of San Diego, 114 F.3d 874, 877 (9th Cir. 1997); C. E. Pope Equity Trust v. United  
3 States, 818 F.2d 696, 697 (9th Cir. 1987). Plaintiff is proceeding pro se in this action, which  
4 signifies that Plaintiff is acting as his own attorney in the litigation of this action. While inmate  
5 Milton is not precluded from assisting other inmates with litigation, Bounds v. Smith, 430 U.S.  
6 817, 823, 97 S.Ct 1491 (1977), he may not, as a non-lawyer, represent anyone but himself in  
7 court and may not file documents in this action on Plaintiff's behalf, or on his own behalf as a  
8 non-party litigant. Plaintiff may not designate a non-lawyer to substitute as his attorney-in fact.  
9 Therefore, inmate William Milton's response to Defendant's motion to strike was improperly  
10 filed and shall be stricken from the record.<sup>1</sup>

11 Accordingly, IT IS HEREBY ORDERED that inmate William Milton's response to  
12 Defendant's motion to strike, filed on August 11, 2014, is STRICKEN from the record as  
13 improperly filed.

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15 IT IS SO ORDERED.

16 Dated: August 13, 2014

/s/ Gary S. Austin  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> When a document is stricken, it becomes a nullity and is not considered by the court for any purpose.  
(Informational Order, Doc. 3 at 2 fn.1.)