

1 necessary to prosecute his petition on his own behalf. Pastor Riley appended to his notice available
2 documentation of the ongoing state procedures and explained that certain documentation had not
3 yet been received from the clerk of the state court.

4 Although Pastor Riley may assist Petitioner in preparing documents for filing over
5 Petitioner's signature, because he is not an attorney, Pastor Riley may not act on behalf of
6 Petitioner or any other party proceeding *pro se*. The privilege to proceed *pro se* is personal to the
7 litigant and does not extend to other parties or entities acting on his behalf. *See Simon v. Hartford*
8 *Life, Inc.*, 546 F.3d 661, 664 (9th Cir. 2008). “[A] non-attorney may appear only in her own
9 behalf.” *Cato v. United States*, 70 F.3d 1103, 1105 n. 1 (9th Cir. 1995). Although a person who is
10 not an attorney may appear *pro se* on his own behalf (28 U.S.C. § 1654), “he has no authority to
11 appear as an attorney for others than himself.” *McShane v. United States*, 366 F.2d 286, 288 (9th
12 Cir. 1966).

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14 Nonetheless, the Court takes notice of the documents evincing Petitioner's good faith
15 pursuit of the state remedies. The Court will permit Petitioner to file a status report over his own
16 signature within thirty (30) days of this order and directs Petitioner to file subsequent reports every
17 ninety (90) days thereafter. If Petitioner does not receive state legal documentation in time to
18 append it to any status report, he may simply declare under penalty of perjury what state
19 proceedings are then ongoing. If Pastor Riley or any other individual who is not an attorney assists
20 Petitioner by preparing the report using information provided by petitioner, the document may
21 disclose that fact and reflect that Petitioner has signed the document after it has been read aloud to
22 him. However, Petitioner himself must sign the status report and declaration under penalty of
23 perjury.
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26 Accordingly, the Court hereby ORDERS that the order to show cause issued June 12, 2017
27 (Doc. 6), be discharged. Within thirty (30) days of this order and every ninety days (90) thereafter
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1 until the California Supreme Court has issued its ruling in the state proceedings, Petitioner shall
2 report the current status of the pending state action.

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4 IT IS SO ORDERED.

5 Dated: July 20, 2017

/s/ Sheila K. Oberto
6 UNITED STATES MAGISTRATE JUDGE

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