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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANGELINA NUNES, EMANUEL
ALVES, D.X., and L.X.,

Plaintiff,

v.

COUNTY OF STANISLAUS, KRISTEN
JOHNSON, and ERIC ANDERSON,

Defendants.

No. 1:17-cv-00633-DAD-SAB

ORDER APPOINTING GUARDIAN AD
LITEM

(Doc. No. 5)

On May 29, 2017, plaintiff and petitioner Angelina Nunes filed a petition to be appointed guardian ad litem for plaintiffs D.X. and L.X. for purposes of this action. (Doc. No. 5.)

“District courts have a special duty, derived from Federal Rule of Civil Procedure 17(c), to safeguard the interests of litigants who are minors.” *Robidoux v. Rosengren*, 638 F.3d 1177, 1181 (9th Cir. 2011). Rule 17 provides that “[t]he court must appoint a guardian ad litem—or issue another appropriate order—to protect a minor or incompetent person who is unrepresented in an action.” Fed. R. Civ. P. 17(c)(2). Local Rule 202(a) of this court further states, in pertinent part:

Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor . . . the attorney representing the minor or incompetent person shall present . . . a motion for the appointment of a guardian *ad litem* by the Court, or . . . a showing satisfactory to the Court that no such appointment is

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necessary to ensure adequate representation of the minor or incompetent person. *See* Fed. R. Civ. P. 17(c).

The decision to appoint a guardian ad litem “must normally be left to the sound discretion of the trial court.” *United States v. 30.64 Acres of Land*, 795 F.2d 796, 804 (9th Cir. 1986).

Petitioner and plaintiff Angelina Nunes petitions the court to appoint her as guardian ad litem to her two minor children, plaintiffs D.X. and L.X. In her sworn declaration, petitioner represents that she is the mother to both plaintiffs D.X. and L.X., and that she will represent and protect their interests in this litigation. (*See* Doc. No. 5-2.) Finding good cause, the court grants the petition (Doc. No. 5) and appoints Angelina Nunes guardian ad litem of D.X. and L.X., minors and plaintiffs to this action.

IT IS SO ORDERED.

Dated: June 27, 2017



UNITED STATES DISTRICT JUDGE