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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

DAVID SWANSON, et al.,  
Plaintiffs,  
v.  
YUBA CITY UNIFIED SCHOOL  
DISTRICT, et al.,  
Defendants.

No. 2:14-cv-1431 KJM DAD

ORDER

Plaintiffs David Swanson through his guardian ad litem Heather Swanson-Houston, and Heather Swanson-Houston suing on her own behalf, have filed this action alleging generally that defendants have refused to provide a free and appropriate education for Swanson and to accommodate his disability. ECF No. 1. When the action was filed, only David Swanson filed a request to proceed in forma pauperis. The court denied the request because Swanson-Houston had not sought to proceed in forma pauperis. ECF No. 3. Both plaintiffs have now submitted requests to proceed in forma pauperis. ECF Nos. 7 & 8. As both qualify to proceed without prepayment of fees, the court grants both requests and allows the action to proceed without payment of the filing fee.

In addition, Swanson-Houston has applied to act as guardian ad litem for Swanson, who is an incompetent adult. Under Rule 17(c)(2) of the Federal Rules of Civil Procedure, the

1 court must appoint a guardian ad litem for an incompetent litigant and accordingly approves this  
2 request.

3 IT IS THEREFORE ORDERED that:

4 1. Both applications to proceed in forma pauperis, ECF Nos. 7 & 8, are granted  
5 and the case may proceed without payment of the filing fee; and

6 2. Heather Swanson Houston is appointed as guardian ad litem for David  
7 Swanson.

8 DATED: June 30, 2014.

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12 UNITED STATES DISTRICT JUDGE  
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