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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANDREA JACKSON, on behalf of J.H., a
minor child,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting
Commissioner of Social Security,

Defendant.

No. 2:14-1659 CKD PS

ORDER AND
FINDINGS AND RECOMMENDATIONS

This action, seeking judicial review of a final decision of the Commissioner of Social Security, was filed pro se on behalf of a minor child. A minor can only proceed if represented by counsel. Johns v. County of San Diego, 114 F.3d 874 (9th Cir. 1997). By order filed July 16, 2014, plaintiff was granted thirty days to obtain counsel and file a substitution of attorney. On August 19, 2014, plaintiff was granted an additional thirty days to obtain counsel. Plaintiff was cautioned that failure to obtain counsel would result in a recommendation this action be dismissed without prejudice. No substitution of attorneys has been filed. Plaintiff has instead filed a motion to proceed without counsel. As discussed above, this action cannot proceed on behalf of the minor child without counsel.

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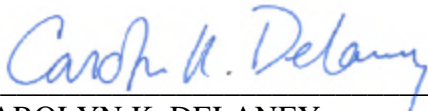
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Accordingly, IT IS HEREBY ORDERED that:

1. The Clerk of Court is directed to assign a District Judge to this action;
 2. Plaintiff’s motion to proceed without representation (ECF No. 11) is denied; and
- IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.

These findings and recommendations are submitted to the United States District Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served with these findings and recommendations, any party may file written objections with the court and serve a copy on all parties. Such a document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Failure to file objections within the specified time may waive the right to appeal the District Court’s order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

Dated: September 23, 2014



CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

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