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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LARRY TEVIS, et al.,
Plaintiffs,

v.

CALIFORNIA DEPARTMENT OF
VETERANS AFFAIRS, et al.,
Defendants.

No. 2:15-mc-0069-WBS-KJN PS

ORDER

On June 10, 2015, the United States Bankruptcy Appellate Panel of the Ninth Circuit transferred this action to the district court for the limited purpose of adjudicating the appellants Larry Tevis and Nancy Tevis’ motion to proceed *in forma pauperis* on appeal pursuant to 28 U.S.C. § 1915. (ECF No. 1.)

In this motion, it appears that appellants attempt to declare their combined assets, which demonstrates that neither appellant is able to prepay fees and costs or give security for them. (ECF No. 2.) However, only Larry Tevis, who is proceeding in this action without the assistance of counsel, has signed appellants’ joint application in what appears to be an attempt to represent both himself and co-appellant Nancy Tevis. (See id. at 2.) While Larry Tevis may make such a declaration on his own behalf, he may not do so on the behalf of Nancy Tevis. See C.E. Pope Equity Trust v. United States, 818 F.2d 696, 697 (9th Cir. 1987) (A non-attorney “has no

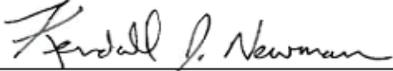
1 authority to appear as an attorney for others than himself”). Rather, Nancy Tevis must provide a
2 signed declaration on her own behalf in order to obtain the relief she requests through appellants’
3 motion to proceed *in forma pauperis* on appeal. See 28 U.S.C. §§ 1746, 1915.

4 Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Appellants’ motion to proceed *in forma pauperis* (ECF No. 2) on appeal is denied
6 without prejudice.
- 7 2. By no later than July 1, 2015, appellants shall file an amended motion to proceed in
8 forma pauperis on appeal that contains the signatures of both appellants.

9 IT IS SO ORDERED.

10 Dated: June 16, 2015

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13 KENDALL J. NEWMAN
14 UNITED STATES MAGISTRATE JUDGE
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