

United States District Court  
For the Northern District of California

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IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ALAN MERRIFIELD, et al.,

No. 04-0498 MMC

Plaintiffs,  
v.

**ORDER DENYING REQUEST FOR  
ISSUANCE OF SUBPOENAS**

BILL LOCKYER, et al.,

Defendants

On May 29, 2009, the Court entered judgment in the above-titled case in favor of plaintiffs, and closed the file. Thereafter, on March 31, 2014, plaintiff Alan Merrifield ("Merrifield"), purportedly acting pro se, submitted to the Clerk of Court two proposed subpoenas, which he requested the Clerk issue.<sup>1</sup>

A review of the docket indicates that Merrifield is represented by counsel, and, accordingly, any request for court action must be made through his counsel of record. Moreover, Merrifield, who is not an attorney, cannot seek relief on behalf of any party other than himself, and the proposed subpoenas seek documents that pertain to government action involving other persons. See *McShane v. United States*, 366 F.2d 286, 288 (9th Cir. 1966) (holding individual proceeding pro se may only represent himself)

Accordingly, the request for issuance of said subpoenas is hereby DENIED.

**IT IS SO ORDERED.**

Dated: April 1, 2014

  
MAXINE M. CHESNEY  
United States District Judge

<sup>1</sup>For reference, the proposed subpoenas are attached hereto.