

1 responded and explained that she did not appear because she
2 believed her father could represent her. Doc #99. The court
3 accepted Shirin's explanation and permitted her to continue to
4 pursue her claims but admonished her that any subsequent failure to
5 appear would result in dismissal. Doc #100.

6 Pursuant to FRCP 17(c), a court may appoint a guardian ad
7 litem for the protection of a minor or incompetent. Shirin is not
8 a minor, as an exhibit submitted to the court by Shirin states her
9 date of birth as December 16, 1989. Doc #99 at 7; see Cal Fam Code
10 § 6502. Amir's petition fails to specify why Shirin should be
11 deemed incompetent or why it would be appropriate for the court to
12 appoint Amir as Shirin's guardian ad litem. Doc #153. No evidence
13 shows that Shirin, apparently a student at the College of Marin,
14 see Doc #153 at 2, is incompetent or otherwise requires a guardian
15 ad litem. Amir's petition to be appointed guardian ad litem is
16 accordingly DENIED. Doc #153.

17 Accordingly, the court ORDERS Shirin to show cause in
18 writing on or before September 17, 2010 why her claims should not
19 be dismissed from the case for failure to prosecute pursuant to
20 FRCP 41(b). Failure to respond by September 17, 2010 or failure to
21 show adequate cause shall be deemed grounds to dismiss Shirin's
22 claims from the case.

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24 IT IS SO ORDERED.

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26 VAUGHN R WALKER
27 United States District Chief Judge
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