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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBRA A. JUDD,
Plaintiff,
v.
MARIN CITY HOUSING AUTHORITY,
Defendant.

Case No. 16-cv-04818-KAW

ORDER DENYING MOTION TO HAVE REPRESENTATIVE SPEAK ON PLAINTIFF'S BEHALF; ORDER TO SHOW CAUSE

Re: Dkt. Nos. 9, 10

United States District Court
Northern District of California

On August 22, 2016, Plaintiff filed the instant suit against Defendant Marin City Housing Authority, alleging negligence. (Compl., Docket No. 1.) Plaintiff also filed an application to proceed in forma pauperis, which the Court granted on September 23, 2016. (Dkt. Nos. 2, 8.) On September 30, 2016, pursuant to 28 U.S.C. § 1915(e)(2), the Court dismissed Plaintiff's complaint with leave to amend, finding that: (1) Plaintiff failed to separately plead each cause of action, (2) the Court lacked subject matter jurisdiction over the case as currently pled, and (3) Plaintiff failed to adequately plead a negligence claim. (Dkt. No. 9 at 2-4.) Having dismissed Plaintiff's complaint, the Court gave Plaintiff 30 days to file an amended complaint. (*Id.* at 4.)

On November 2, 2016, Plaintiff filed a motion to have her son speak on her behalf. (Dkt. No. 10.) The Court DENIES Plaintiff's motion. Plaintiff can only be represented by an attorney, and Plaintiff does not state that her son is an attorney. If Plaintiff's son represents her in Court, he will be engaged in the unauthorized practice of law, which is prohibited. *See* Cal. Bus. & Prof. Code § 6125 ("No person shall practice law in California unless the person is an active member of the State Bar").


Additionally, Plaintiff's motion must be denied because there is no operative complaint in this case. Plaintiff's amended complaint was due by October 31, 2016; as of November 15, 2016,

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Plaintiff has yet to file an amended complaint. Therefore, Plaintiff is ordered, on or before **December 9, 2016**, to 1) file an amended complaint that corrects the deficiencies identified by the Court's September 30, 2016 order, and 2) respond to this order to show cause by explaining why she did not file a timely amended complaint. Failure to complete both tasks by December 9, 2016 may result in the Court dismissing Plaintiff's complaint without prejudice for failure to prosecute.

IT IS SO ORDERED.

Dated: November 15, 2016


KANDIS A. WESTMORE
United States Magistrate Judge