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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

FERNANDO FERNANDEZ, MARIA
FERNANDEZ AND JRGF (BY AND
THROUGH HIS GUARDIAN AD LITEM,
MARIA ISABEL FERNANDEZ),

Plaintiffs,

v.

UNITED STATES OF AMERICA, et al.,

Defendants.

Case No. 10cv1387 BTM(PCL)
**ORDER GRANTING MOTION TO
WITHDRAW**

Monica T. Guizar, Esq., has filed a motion to withdraw as counsel of record for Plaintiffs. Ms. Guizar represents that she is changing firms and cannot continue to effectively represent Plaintiffs in this matter. Ms. Guizar also represents that Plaintiffs have agreed to the termination of the representation and that she has delivered to Plaintiffs all pertinent files, papers, and property. Plaintiffs have not filed any objection to the motion. Accordingly, the Court **GRANTS** Ms. Guizar’s motion to withdraw as counsel of record. Ms. Guizar is relieved as counsel of record for Plaintiffs.

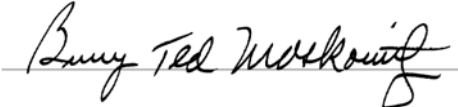
The Court cautions Plaintiffs that a parent or guardian ad litem cannot bring an action on behalf of a minor child without retaining a lawyer. Johns v. County of San Diego, 114 F.3d 874, 877 (9th Cir. 1997). Therefore, a new attorney must be found for JRGF if JRGF wishes to proceed with his claims. The new attorney must file a notice of appearance within

1 30 days of the entry of this order. Failure to do so will result in the Court issuing an order to
2 show cause why JRGF's claims should not be dismissed. In the meantime, Plaintiffs should
3 notify the Court which address to use to send Court mailings.

4 Ms. Guizar shall provide Plaintiffs with a copy of this Order within 5 days of the entry
5 of the Order, and shall file a proof of service with the Court.

6 **IT IS SO ORDERED.**

7 DATED: January 4, 2011

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10 Honorable Barry Ted Moskowitz
11 United States District Judge
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