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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 ROE, a minor, by and through her
12 Guardian ad Litem, JUSTIN SLAGLE,
13 Plaintiff,
14 v.
15 GROSSMONT UNION HIGH SCHOOL
16 DISTRICT et al.,
17 Defendants.

Case No.: 19-CV-1966-CAB-BGS

**ORDER REGARDING PETITION
FOR APPOINTMENT OF
GUARDIAN AD LITEM**

[Doc. No. 3.]

18 This matter is before the Court on Plaintiff Roe’s Petition for Appointment of
19 Guardian Ad Litem. [Doc. No. 3.]

20 The Petition states that Justin Slagle is the father of Minor Plaintiff Roe with legal
21 and physical custody, and requests the Court appoint Justin Slagle as guardian ad litem.
22 [Doc. No. 3 at ¶¶ 2-3.] It is unclear why it is necessary to separately appoint Mr. Slagle as
23 guardian ad litem in this lawsuit, when it appears that he is a general guardian who can sue
24 on his child’s behalf. *See Doe ex rel. Sisco v. Weed Union Elementary Sch. Dist.*, No. 2:13-
25 CV-01145-GEB, 2013 WL 2666024, at *1 (E.D. Cal. June 12, 2013) (holding that parents’
26 application for appointment as guardian ad litem was unnecessary, noting that “Rule
27 17(c)(1)(A) permits a ‘general guardian’ to sue in federal court on behalf of a minor, and
28 ‘[a] parent is a guardian who may so sue.’”); *see also* Fed. R. Civ. P. 17(c).

1 Accordingly, the Petition to appoint Justin Slagle as the guardian ad litem for
2 Plaintiff Roe is **DENIED WITHOUT PREJUDICE**. Petitioner may re-file the petition
3 with citation to legal authority and explanation as to why the appointment of a guardian ad
4 litem is necessary in this case.

5 **IT IS SO ORDERED.**

6 Dated: October 11, 2019



Hon. Cathy Ann Bencivengo
United States District Judge

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