

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 09-cv-00141-BNB

TIFFANY D. THEISEN, and
RICHARD L. THEISEN,
Plaintiffs,

v.

EL PASO COUNTY COURTS,
EVELYN SULLIVAN,
THOMAS KANE,
DENISE PEACOCK,
KRYSTAL HULICK,
KIDS RESOURCE NETWORK,
CHRISTINE BURCHAM,
STEPHANIE REED,
EL PASO COUNTY DEPARTMENT OF HUMAN SERVICES, and
SUSAN HANSON,
Defendants.

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
MAR 20 2009
GREGORY C. LANGHAM
CLERK

ORDER DIRECTING PLAINTIFFS TO CURE DEFICIENCY

Plaintiffs, Tiffany D. Theisen and Richard L. Theisen, initiated this action by filing *pro se* a Complaint. On February 17, 2009, Plaintiffs filed individual amended complaints on the court's nonprisoner complaint form. On February 20, 2009, the court ordered Plaintiffs to file a second amended complaint signed by both Plaintiffs that complies with the pleading requirements of the Federal Rules of Civil Procedure. On March 13, 2009, Plaintiffs filed a Second Amended Complaint. However, the Second Amended Complaint is not signed by both Plaintiffs. Instead, the Second Amended Complaint is signed by Plaintiff Richard D. Theisen for himself and on behalf of Plaintiff Tiffany D. Theisen, who allegedly is incarcerated.

Plaintiff Richard L. Theisen may not sign papers on behalf of Plaintiff Tiffany D. Theisen or any other person because a *pro se* litigant may not represent another *pro se* litigant in federal court. **See** 28 U.S.C. § 1654. Therefore, the court finds that the Second Amended Complaint is missing a signature by one of the named Plaintiffs. Pursuant to Rule 11(a) of the Federal Rules of Civil Procedure, “[e]very pleading, written motion, and other paper must be signed . . . by a party personally if the party is unrepresented.” Furthermore, “[t]he court must strike an unsigned paper unless the omission is promptly corrected after being called to the . . . party’s attention.” Fed. R. Civ. P. 11(a). Plaintiffs will be ordered to file a new copy of the Second Amended Complaint signed by both of them if they both wish to pursue their claims in this action. Accordingly, it is

ORDERED that Plaintiffs cure the deficiency in this action **within thirty (30) days from the date of this order** by filing a new copy of the Second Amended Complaint that is signed by both Plaintiffs. It is

FURTHER ORDERED that if Plaintiffs fail to cure the deficiency within the time allowed, Plaintiff Tiffany D. Theisen will be dismissed as a party to this action without further notice.

DATED March 20, 2009, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

CERTIFICATE OF MAILING

Civil Action No. 09-cv-00141-BNB

Richard Theisen
Tiffany Theisen
4534 Adieu Circle
Colorado Springs, CO 80917

I hereby certify that I have mailed a copy of the **ORDER** the above-named individuals on 3/20/09

GREGORY C. LANGHAM, CLERK

By: 
Deputy Clerk