

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 11-cv-2975-WJM-KLM

GONZALO PEREZ, and all others similarly situated

Plaintiff,

v.

DOUGLAS COUNTY SHERIFF DEPT.,
GRAND COUNTY SHERIFF DEPT.,
WINTER PARK - FRASER POLICE DEPT.,
DENVER COUNTY SHERIFF DEPT.,
CITY OF DENVER POLICE DEPT.,
ADAMS COUNTY SHERIFF DEPT., and
AURORA POLICE DEPARTMENT,

Defendant.

ORDER

This matter comes before the Court on Plaintiff's Unopposed Motion to Dismiss Case Without Prejudice ("Motion" ECF No. 12) filed February 17, 2012. For the reasons stated below, Plaintiff's Motion is GRANTED in PART and DENIED in PART.

A Complaint commencing the instant action was filed November 16, 2011 (ECF No. 1). The Complaint is brought by and on behalf of the following individuals: Gonzalo Perez, Lina Gisel-Molina, German Jasso, Laura Gutierrez, and Julio Arreguin. The only named Plaintiffs that have signed the Motion are Lina Gisela Molina, German Jasso, and Laura Gutierrez. Because no defendant has appeared in this case, Plaintiffs are entitled to dismiss the case without prejudice upon their Motion. Fed.R.Civ.P. 41(a).

However, because Plaintiffs are proceeding *pro se*, each individual Plaintiff must seek dismissal of his or her own claims. See *Meeker v. Kercher*, 782 F. 2d 153, 154 (10th Cir 1986) (holding that non-attorney *pro se* litigants have the right to represent themselves but do not have the ability to represent others).

Therefore, the Court GRANTS the Motion to the extent it seeks dismissal of the claims brought by Lina Gisela-Molina, German Jasso, and Laura Gutierrez. However, because Plaintiffs Gonzalo Perez and Julio Arreguin did not sign the Motion, the Court is not able to dismiss their claims at this time and as such the Motion is DENIED as to them. Accordingly, the action remains pending with respect to the claims asserted by Plaintiffs Gonzalo Perez and Julio Arreguin.

The Clerk and the parties are directed to use a caption in all future filings in this case which reflects Gonzalo Perez and Julio Arreguin as the only remaining Parties-Plaintiffs.

Dated this 21st day of February, 2012.

BY THE COURT:



William J. Martínez
United States District Judge