

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 12-cv-02266-BNB

VICKI DILLARD,

Plaintiff,

v.

SGT. MATT CLARK,
LT. DAVID APSHAR,
SGT. RICHARD SEELEY,
OFFICER ABEITA, In Their Official and Individual Capacities, and
THE CITY AND COUNTY OF DENVER, A Municipality,

Defendants.

ORDER

Ms. Dillard, acting *pro se*, initiated this action by filing a Complaint pursuant to 42 U.S.C. §§ 1981, 1983, and 28 U.S.C. § 1331, 1343, and 2201 alleging that her United States constitutional rights have been violated. Ms. Dillard also asserts federal and state statute violations. On September 4, 2012, the Court instructed Ms. Dillard to show cause why the Complaint and action should not be dismissed because the claims are repetitious of the claims she raised in *Dillard, et al., v. Gregory, et al.*, No. 11-cv-01928-RBJ-BNB.

Ms. Dillard did not respond to the show cause order. Instead, a third party claiming to have power of attorney for Ms. Dillard filed a motion for extension of time to respond to the show cause order. The motion will be stricken.

Federal law allows two types of representation in court. Either by an attorney admitted to the practice of law by the applicable regulatory body or by an individual representing herself. 28 U.S.C. § 1654. Regulation of the unauthorized practice of law is a state matter. *Doyle v. Oklahoma Bar Assn.*, 998 F.2d 1559, 1569 n. 6 (10th Cir. 1993)

(citation omitted). “Colorado law prohibits the unauthorized practice of law, *i.e.*, the practice of law by a person who is not a licensed attorney in good standing with the State Bar.” *People v. Shell*, 148 P.3d 162, 170 (Colo. 2006). Therefore, the motion for an extension of time signed by someone claiming power of attorney for Ms. Dillard is improperly filed in this case. Accordingly, it is

ORDERED that the Motion for Extension of Time, ECF No. 7, is stricken. It is

FURTHER ORDERED that Ms. Dillard has up to and including October 11, 2012, to respond to the Order to Show Cause, ECF No. 6. It is

FURTHER ORDERED that if Ms. Dillard fails to respond within the time allowed the Complaint and action will be dismissed without further notice. It is

FURTHER ORDERED that the Clerk of the Court shall take notice of the address change entered for Ms. Dillard in Case No. 11-cv-01928-RBJ.

DATED October 9, 2012, at Denver, Colorado.

BY THE COURT:

s/ Boyd N. Boland
United States Magistrate Judge