

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

RODNEY DALE CLASS, Public
Servant Since 2000, a 42 USC 1988
Escrow Proxy for the Public and for
the Actual Injured Claimant,
Private Attorney General by
Legislation Appointment and
Constitutional 14th Amendment
Bounty Hunter and JOSEPH W.
MINES, JR. , The Actual Injured
Claimant,

Plaintiffs,

v.

Case No. 3:17-cv-1068-J-32JRK

U.S. BANK NATIONAL
ASSOCIATION, not in its individual
capacity but solely as trustee of SW
REMIC TRUST 2015-1, CAMERON
H.P. WHITE, in their Official and
Personal Capacity, AARON
BOWDEN, in their Official and
Personal Capacity, CHARLES O.
MITCHELL, JR. , in their Official
and Personal Capacity, KAREN
COLE, in their Official and Personal
Capacity, MICHAEL R.
WEATHERBY, in their Official and
Personal Capacity, ALIANNETTE
AUSTIN, in their Official and
Personal Capacity, JOHN
TOMASINO, in their Official and
Personal Capacity, ASHLEY
ELMORE DREW, in their Official
and Personal Capacity, and

TIMOTHY R. HAPEMAN, in their
Official and Personal Capacity,

Defendants.

ORDER TO SHOW CAUSE

THIS CAUSE is before the Court on Plaintiffs' Motion for Preliminary Injunction Against State Court Case, While the Federal Court Case is Being Heard (Doc. 3). Dismissal appears appropriate based on Title 28 U.S.C. Section 1654, Rule 11 of the Federal Rules of Civil Procedure, and Local Rules 2.01 and 2.02. Only an attorney of record who is representing a party, or an unrepresented party personally, may sign a pleading. Fed. R. Civ. P. 11(a). See also Wheat v. United States, 486 U.S. 153, 159 (1988) ("Regardless of his persuasive powers, an advocate who is not a member of the bar may not represent clients (other than himself) in court."). Middle District of Florida Local Rule 2.01 makes eligible for admission to the bar of the Court individuals who are in good standing of The Florida Bar. Local Rule 2.02 provides several situations where individuals who are not members in good standing of The Florida Bar may appear before the Court. However, each requires that the individual be a licensed attorney.

In the Complaint (Doc. 1), Motion for Preliminary Injunction (Doc. 3), and Notice of Appearance (Doc. 2), Mr. Rodney-Dale Class purports to be a Private

Attorney General. Mr. Class cites to the history section of the United States Attorney's Manual as support for his representation of Plaintiff, Mr. Mines. (Doc. 2 at 2–4). However, Mr. Class is incorrect in his assertions. United States Attorneys can only be appointed by the President, by and with the advice and consent of the Senate, Title 28 U.S.C. Section 541, and Assistant United States Attorneys are appointed by the Attorney General. 28 U.S.C. §§ 542 & 543. Since Mr. Class has not presented any evidence that he has any such appointment and admits to not holding a “Bar card,” the Court is inclined to dismiss this action.

Accordingly, it is hereby

ORDERED:

1. On or before **September 25, 2017**, Plaintiff shall show cause why this case should not be dismissed without prejudice for the reasons set forth above. Specifically, Plaintiff shall show that he is either represented by counsel authorized to practice before this Court, or proceed pro se. A failure to show cause will result in the case being dismissed without prejudice.

2. Given the time-sensitive nature of the motion, the Clerk is directed to email a copy of this Order to Plaintiff, Mr. Mines, in addition to the customary mailing of filings to pro se claimants.

DONE AND ORDERED in Jacksonville, Florida this 20th day of September, 2017.



TIMOTHY J. CORRIGAN
United States District Judge

jjb
Copies:

Counsel of record
Plaintiff