

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

UNITED STATES OF AMERICA
ex rel. LESLIE DAVIS and
JOHN D. WESTLEY,

Plaintiffs,

v.

CASE NO. 5:17cv81-RH/GRJ

HENNEPIN COUNTY et al.,

Defendants.

_____ /

ORDER OF DISMISSAL

This case is before the court on the magistrate judge's report and recommendation, ECF No. 8, and the objections, ECF No. 9. I have reviewed de novo the issues raised by the objections.

The report and recommendation correctly concludes that under the settled law of the circuit, a relator who is not an attorney can pursue a *qui tam* action on behalf of the United States only if represented by an attorney; a relator cannot proceed pro se. *See Timson v. Sampson*, 518 F.3d 870, 873-74 (11th Cir. 2008). The objections take issue with *Timson*, but the decision is binding on this court. As

an aside, it perhaps bears noting that the objections—sometimes frivolous, sometimes impertinent, and often showing a lack of understanding of the law and governing procedures—provide an apt illustration of why a pro se litigant ought not be allowed to represent the interests of others.

IT IS ORDERED:

1. The report and recommendation is accepted and adopted as the court's opinion.
2. The clerk must enter judgment stating, "The complaint is dismissed without prejudice."
3. All pending motions are denied as moot.
4. The clerk must close the file.

SO ORDERED on June 21, 2017.

s/Robert L. Hinkle
United States District Judge