

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION**

FRANKLIN G. ENDICOTT,)	
)	
Plaintiff,)	
)	
v.)	No. 2:17-CV-29 DDN
)	
LARRY ALLEN, et al.,)	
)	
Defendants.)	

OPINION, MEMORANDUM AND ORDER

This matter is before the Court upon the motion of pro se plaintiff Franklin G. Endicott, an inmate at Northeast Correctional Center, for class certification and appointment of counsel. For the following reasons, the motion will be denied in part and denied without prejudice in part.


On May 26, 2017, the Court issued a Memorandum and Order granting plaintiff's motion for leave to proceed in forma pauperis and requiring plaintiff to amend his complaint. In that Memorandum and Order, the Court stated that plaintiff cannot bring claims on behalf of other prisoners. *See* ECF No. 8 (citing 28 U.S.C. § 1654 (pro se parties may only bring actions on their own behalf); 7A Wright, Miller & Kane, Federal Practice and Procedure: Civil 3d § 1769.1 ("class representatives cannot appear pro se")). For this reason, plaintiff's motion requesting class certification will be denied.

Additionally, plaintiff's motion for appointment of counsel will be denied at this time. Although plaintiff has alleged serious claims, none of his claims have, of yet, survived frivolity review. Thus, counsel is simply not warranted at this time. Plaintiff may, of course, move for counsel at a later time, if it appears that counsel is warranted if this case progresses.

Accordingly,

IT IS HEREBY ORDERED that plaintiff's motion requesting class certification and appointment of counsel is **DENIED** in part and **DENIED without prejudice** in part. The motion is denied as to plaintiff's request for class certification; the motion is denied without prejudice as to plaintiff's motion to appoint counsel. [ECF No. 6]

Dated this 21st day of December, 2017.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE