

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RANDOLPH MICHAEL RABBE
AND LISA ANN RABBE,

Plaintiffs,

vs.

WELLS FARGO HOME
MORTGAGE, INC. AND WELLS
FARGO, N.A.,

Defendants.

8:17-CV-131

ORDER

An individual identifying himself as "Rodney-Dale,class" has filed an "Entry of Appearance" ([filing 33](#)) in this case. Because the filer cannot represent others in this Court, his appearance will be stricken.

The filer does not purport to be a litigant or a licensed attorney. So, he lacks authority to act as an attorney before the Court. *United States v. Agofsky*, 20 F.3d 866, 872 (8th Cir. 1994). A nonlawyer has no right to represent another in a court of the United States. *Knoefler v. United Bank of Bismarck*, 20 F.3d 347, 348 (8th Cir. 1994). The filer suggests that he may appear because, he says, the United States Attorney does not need to be a member of the bar. He is wrong about that. See [Pub. L. No. 96-132, § 3\(a\), 93 Stat. 1040](#). But more importantly, having been appointed by neither the President nor the Attorney General, he is not a United States Attorney. See [28 U.S.C. §§ 541 & 542](#).

The filer's claim to be a "Private Attorney General" and "Constitutional 14th Amendment Bounty Hunter" is presumably based on the proposition that an individual who pursues a civil rights claim in federal court may do so

"not for himself alone but also as a 'private attorney general,' vindicating a policy that Congress considered of the highest priority." *Newman v. Piggie Park Enters., Inc.*, 390 U.S. 400, 402 (1968). But while that permits a litigant with standing to enforce the civil rights laws by asserting their own claims, either *pro se* or through counsel, it does not make that litigant a "United States Attorney," nor does it upset the "established procedure which requires that only one licensed to practice law may conduct proceedings in court for anyone other than himself." *United States v. Onan*, 190 F.2d 1, 6 (8th Cir. 1951).

IT IS ORDERED:

1. The "Entry of Appearance" filed by "Rodney-Dale,class" ([filing 33](#)) is stricken.
2. The Clerk of the Court is directed to provide a copy of this order to the parties, to "Rodney-Dale,class" at the address contained in [filing 33](#), and to the U.S. Court of Appeals for the Eighth Circuit.

Dated this 29th day of September, 2017.

BY THE COURT:



John M. Gerrard
United States District Judge