UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

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DONALD W. MOON and DONALD J. BOGOTAITIS,

Plaintiffs,

v.

JAMES COX et al.,

Defendants.

Case No. 2:14-cv-2140-APG-GWF

ORDER

This case has been initiated by two *pro se* plaintiffs who were in the custody of the Nevada Department of Corrections ("NDOC") at the time they initiated this case. Plaintiff Moon has updated his address with the Court and is no longer incarcerated. Plaintiff Bogotaitis has not updated his address with the Court but, according to the NDOC website, appears to have been released from prison. Plaintiffs each submitted their own applications to proceed *in forma pauperis* but submitted identical complaints. (*See* Dkt. #1, 1-1, 2, 2-1). Plaintiff Moon submitted a motion for leave to file a longer than normal complaint, a motion for class action certification, and a motion for appointment of counsel on behalf of both plaintiffs. (Dkt. #3, 4, 5). In the caption of their complaints, they allege that they are proceeding on behalf of themselves and all others similarly situated. (Dkt. # 1-1 at 1).

Pro se litigants have the right to plead and conduct their own cases personally. *See* 28 U.S.C. § 1654. However, *pro se* litigants have no authority to represent anyone other than themselves. *See Cato v. United States*, 70 F.3d 1103, 1105 n.1 (9th Cir. 1995); *C.E. Pope Equity Trust v. United States*, 818 F.2d 696, 697 (9th Cir. 1987).

In this case, Plaintiff Moon is essentially representing both defendants by filing motions on behalf of both *pro se* plaintiffs. He may not do this. Instead, each defendant must proceed with his own case individually.

Plaintiff Bogotaitis is hereby directed to file a notice of change of address with the Court. Pursuant to Local Special Rule 2-2, "[t]he plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party's attorney. Failure to comply with this Rule may result in dismissal of the action with prejudice." Nev. Loc. Special R. 2-2. I grant Bogotaitis 30 days from the date of entry of this order to file his updated address with this Court. If Bogotaitis does not update his current address within 30 days from the date of entry of this order, I will dismiss his complaint without prejudice.

In addition to filing a notice of change of address, Bogotaitis has 30 days from the date of entry of this order to inform the Court whether he intends to proceed with this lawsuit, specifically his application to proceed *in forma pauperis* and complaint (Dkt. #2, 2-1). If Bogotaitis does intend to proceed with this lawsuit, I will direct the Clerk of the Court to file Bogotaitis's application to proceed *in forma pauperis* and complaint (Dkt. #2, 2-1) under a separate case number where Bogotaitis may proceed on his individual claims alone. If Bogotaitis does not notify the Court within 30 days from the date of this order whether he intends to proceed with this lawsuit, I shall dismiss Bogotaitis's complaint without prejudice.

After the 30-day deadline for Bogotaitis to notify the Court of his updated address and whether he intends to proceed with this lawsuit, the Court will screen Plaintiff Moon's complaint and address his outstanding motions. (Dkt. #1, 1-2, 3, 4, 5.)

I. CONCLUSION

For the foregoing reasons, **IT IS ORDERED** that Plaintiff Bogotaitis has 30 days from the date of entry of this order to file his updated address with this Court.

IT IS FURTHER ORDERED that if Bogotaitis does not update the Court with his current address within 30 days from the date of entry of this order, the Court shall dismiss Bogotaitis's complaint without prejudice.

IT IS FURTHER ORDERED that within 30 days from the date of entry of this order, Bogotaitis shall notify the Court whether he intends to proceed with his application to

proceed *in forma pauperis* and complaint (Dkt. #2, 2-1).

IT IS FURTHER ORDERED that if Bogotaitis does not notify the Court within 30 days from the date of entry of this order whether he intends to proceed with his case, the Court shall dismiss Bogotaitis's complaint without prejudice.

IT IS FURTHER ORDERED that after the thirty-day deadline for Bogotaitis to respond to this order, the Court will screen Plaintiff Moon's complaint and address his outstanding motions (Dkt. ##1, 1-1, 3, 4, 5).

DATED THIS 6th day of May, 2015.

UNITED STATES DISTRICT JUDGE