

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

FELTON MATTHEWS,)
)
Plaintiff,)
)
vs.)
)
NEVADA LEGISLATURE, et al.,)
)
Defendants.)
_____)

3:08-CV-0387-LRH (VPC)

MINUTES OF THE COURT

May 19, 2009

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PETITIONER(S): NONE APPEARING

COUNSEL FOR RESPONDENT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Plaintiff filed a motion to assign/designate class-action status to 08-CV-00387-LRH (VPC) pending enjoinder (#72). Defendants opposed the motion (#78), and plaintiff replied (#81).

Plaintiff has not met the standard for class certification and he is without authority to litigate on behalf of other prisoners. Fed.R.Civ.P. 23. See, e.g., *Carter v. Taylor*, 540 F.Supp.2d 522, 527 (D.Del. 2008); *Reed v. Bd. of Prison Terms*, No. C 03-2917, 2003 WL 21982471, at *1 (N.D. Cal. Aug. 8, 2003); see also *Russell v. United States*, 308, F.2d 78, 79 (9th Cir. 1962) (“A litigant appearing in propria persona has no authority to represent anyone other than himself.”). Therefore, plaintiff’s motion to assign/designate class-action status to 08-CV-00387-LRH (VPC) pending enjoinder (#72) is **DENIED**.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk