

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF NEW MEXICO**

HEATHER MAY THOMAS on behalf of  
CRISTYN JEANETTE SMITH-THOMAS,

Plaintiff,

v.

No. 1:24-cv-00298-KRS

ALMA C. ROBERSON,  
GEOFFREY CUMMINGS,  
WILLIAM P. JOHNSON,  
MITCHELL ELFERS and  
ALBUQUERQUE SWAT,

Defendants.

**ORDER TO SHOW CAUSE**

This case apparently arises from the arrest and detention of Cristyn Jeanette Smith-Thomas by Albuquerque Police officers. *See* Civil Rights Complaint Pursuant to 42 U.S.C. § 1983, Doc. 1, filed March 26, 2024 (“Complaint”).

It appears that Heather Mae Thomas is bringing this case on behalf of her daughter, Cristyn Jeanette Smith-Thomas. Heather Mae Thomas signed the “Declaration Under Penalty of Perjury” stating she “is the plaintiff in the above action, that [s]he has read the above complaint and that the information contained therein is true and correct” and personally delivered the Complaint to the Clerk’s Office for filing. Complaint at 6. The Complaint also states: “I have audio recording of the officers trying to come in. We were told if she just comes out to talk, there would be no problems. That’s when they assaulted & kidnapped my little girl.” Complaint at 3.

Heather Mae Thomas is not a licensed attorney authorized to practice in this Court and, therefore, cannot bring claims on behalf her daughter. *See Fymbo v. State Farm Fire & Cas. Co.*,

213 F.3d 1320, 1321 (10th Cir. 2000) ("A litigant may bring his own claims to federal court without counsel, but not the claims of others").

**IT IS ORDERED** that Heather Mae Thomas shall, within 21 days of entry of this Order, show cause why the Court should not dismiss this case because Heather Mae Thomas cannot bring claims on behalf of Cristyn Jeanette Smith-Thomas. Failure to timely show cause may result in dismissal of this case.

Handwritten signature of Kevin Sweasea in cursive script.

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**UNITED STATES MAGISTRATE JUDGE**