

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Ekoko K. Avoki; Francisco K. Avoki; W.A., a)
minor by and through his parents, Ekoko K.)
Avoki and Francisco K. Avoki)
parental natural guardian)
Ekoko K. Avoki)
parental natural guardian)
Franciso K. Avoki,)
)
Plaintiffs,)
)
v.)
)
City of Chester S. Carolina; Police of Chester)
South Carolina; United States; Doe I-XX,)
(unknown),)
)
Defendants.)
)

C/A No. 0:17-1141-TLW-PJG

ORDER

This is a civil action filed by *pro se* litigants. Under Local Civil Rule 73.02(B)(2) (D.S.C.), pretrial proceedings in this action have been referred to the assigned United States Magistrate Judge.

REPRESENTATION OF MINOR CHILDREN:

This case was filed by Plaintiffs on behalf of themselves and their minor child, W.A. While 28 U.S.C. § 1654 allows individuals to “plead and conduct their own cases personally,” the statute does not extend the right of self representation to directing the litigation of others. Myers v. Loudoun Cty. Pub. Schs., 418 F.3d 395, 400 (4th Cir. 2005) (“The right to litigate for *oneself*, however, does not create a coordinate right to litigate for *others*.”). This principle is extended to litigation by parents on behalf of their minor children. The law is well established that “non-attorney parents generally may not litigate the claims of their minor children in federal court.” Myers, 418 F.3d at 401. The prohibition of *pro se* parents litigating on behalf of their minor children “ensures the children’s interests are not prejudiced by their well-meaning, but legally untrained parents.” Id. Plaintiffs Ekoko K. Avoki and Francisco K. Avoki may not proceed on behalf of their minor child. **Accordingly, the court hereby grants Plaintiff W.A. thirty (30) days to obtain counsel. Failure to comply may result in the dismissal of W.A.’s claims.**

PJG

TO PLAINTIFFS:

Plaintiffs must place the civil action number listed above (C/A No. 0:17-1141-TLW-PJG) on any document provided to the court pursuant to this order. **Any future filings in this case must be sent to the address below (901 Richland Street, Columbia, South Carolina 29201).** All documents requiring Plaintiffs' signature shall be signed with Plaintiffs' full legal name written in Plaintiff's own handwriting. *Pro se* litigants shall *not* use the "s/typed name" format used in the Electronic Case Filing System. In all future filings with this court, Plaintiffs are directed to use letter-sized (8½ inches by 11 inches) paper only, to write or type text on one side of a sheet of paper only and not to write or type on both sides of any sheet of paper. Plaintiffs are further instructed not to write to the edge of the paper, but to maintain one inch margins on the top, bottom, and sides of each paper submitted.

Plaintiffs are *pro se* litigants. Therefore, Plaintiffs' attention is directed to the following important notice:

You are ordered to always keep the Clerk of Court advised **in writing (901 Richland Street, Columbia, South Carolina 29201)** if your address changes for any reason, so as to assure that orders or other matters that specify deadlines for you to meet will be received by you. If, as a result of your failure to comply with this order, you fail to meet a deadline set by this court, **your case may be dismissed for violating this order.** Therefore, if you have a change of address before this case is ended, you must comply with this order by immediately advising the Clerk of Court in writing of such change of address and providing the court with the docket number of all pending cases you have filed with this court. Your failure to do so will not be excused by the court.

TO THE CLERK OF COURT:

The Clerk of Court shall mail a copy of this order to Plaintiffs. At the expiration of the time provided for Plaintiffs to comply with this order, the Clerk of Court shall forward the file to the assigned United States Magistrate Judge for a recommendation. *See In Re: Procedures in Civil Actions Filed by Non-Prisoner Pro Se Litigants*, No. 3:07-mc-5015-JFA.

The Office of the Clerk of Court shall not enter any change of address submitted by Plaintiffs which directs that mail be sent to a person other than Plaintiffs unless that person is an attorney admitted to practice before this court who has entered a formal appearance.

IT IS SO ORDERED.

May 22, 2017
Columbia, South Carolina



Paige J. Gossett
UNITED STATES MAGISTRATE JUDGE

Plaintiff's attention is directed to the important warning on the next page.

IMPORTANT INFORMATION—PLEASE READ CAREFULLY

WARNING TO PRO SE PARTY OR NONPARTY FILERS

All documents that you file with the court will be available to the public on the internet through PACER (Public Access to Court Electronic Records) and the court's Electronic Case Filing System. **CERTAIN PERSONAL IDENTIFYING INFORMATION SHOULD NOT BE INCLUDED IN OR SHOULD BE REMOVED FROM ALL DOCUMENTS BEFORE YOU SUBMIT THE DOCUMENTS TO THE COURT FOR FILING.**

Rule 5.2, Fed. R. Civ. P., provides for privacy protection of electronic or paper filings made with the court. Rule 5.2 applies to **ALL** documents submitted for filing, including pleadings, exhibits to pleadings, discovery responses, and any other document submitted by any party or nonparty for filing. Unless otherwise ordered by the court, a party or nonparty filer should not put certain types of an individual's personal identifying information in documents submitted for filing to any United States District Court. If it is necessary to file a document that already contains personal identifying information, the personal identifying information should be "**blacked out**" or **redacted** prior to submitting the document to the Clerk of Court for filing. A person filing any document containing their own personal identifying information **waives** the protection of Rule 5.2(a) by filing the information without redaction and not under seal.

1. Personal information protected by Rule 5.2(a):

(a) Social Security and Taxpayer identification numbers. If an individual's social security number or a taxpayer identification number must be included in a document, the filer may include only the last four digits of that number.

(b) Names of Minor Children. If the involvement of a minor child must be mentioned, the filer may include only the initials of that child.

(c) Dates of Birth. If an individual's date of birth must be included in a document, the filer may include only the year of birth.

(d) Financial Account Numbers. If financial account numbers are relevant, the filer may include only the last four digits of these numbers.

2. Protection of other sensitive personal information – such as driver's license numbers and alien registration numbers – may be sought under Rule 5.2(d)(Filings Made Under Seal) and (e) (Protective Orders).