

FILED  
U.S. DISTRICT COURT

2011 APR -5 A 10:16

DISTRICT OF UTAH

BY: \_\_\_\_\_  
DEPUTY CLERKIN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISIONSecurities and Exchange Commission,  
Plaintiff,

vs.

Momentum Leasing.,  
Defendants.MEMORANDUM DECISION AND  
ORDER DIRECTING MOMENTUM  
LEASING TO APPOINT COUNSEL  
AND LODGING ANSWER

Case No. 2:11-cv-00021-BSJ

The Court notes that a(n) Answer has been filed on behalf of Momentum Leasing, a Corporation by an individual who does not appear to be a licenced attorney. Momentum Leasing purports to represent itself *pro se* by way of Raymond P. Morris. The Court notes that it has long been the law in the Tenth Circuit “that a corporation can appear in a court of record only by an attorney at law.”<sup>1</sup> A corporation may not appear “through a non-attorney corporate officer appearing *pro se*.”<sup>2</sup> Since Momentum Leasing is a Corporation, it must be represented in this

<sup>1</sup>*Flora Const. Co. v. Fireman’s Fund Ins. Co.*, 307 F.2d 413, 414 (10th Cir. 1962).

<sup>2</sup>*Harrison v. Wahatoyas, L.L.C.*, 253 F.3d 552, 556 (10th Cir. 2001).

Court by an attorney at law. Raymond P. Morris is not a licensed attorney, therefore he may not represent Momentum Leasing in this case.

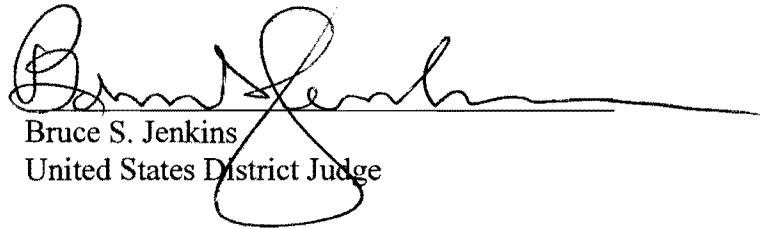
It is therefore

ORDERED that Momentum Leasing appoint counsel to represent it in this matter within thirty (30) days of the issuance of this Order. It is further

ORDERED that Momentum Leasing's Answer (23) is Lodged.

DATED April <sup>TK</sup> 4, 2011.

BY THE COURT:



Bruce S. Jenkins  
United States District Judge