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Defendants.

ORDER DIRECTING PLAINTIFF P.P. TO FILE A MOTION FOR APPOINTMENT OF A GUARDIAN AD LITEM

Plaintiffs assert they suffered violations of their civil rights and discrimination due to their disabilities while held at Kern County’s juvenile detention facilities. The Court’s review of the docket and reveals that the minor plaintiffs did not seek appointment of guardian ad litem to bring their claims. Because Plaintiff P.P. remains a minor, he is unable to prosecute the claims presented, and his claims may only be brought “by a next friend or a guardian ad litem.” *See* Fed. R. Civ. P. 17(c)(2).

In addition, pursuant to Local Rule 202,

Upon commencement of an action or upon initial appearance in defense of an action by or on behalf of a minor or incompetent person, the attorney representing the minor or incompetent person shall present (1) appropriate evidence of the appointment of a representative for the minor or incompetent person under state law or (2) a motion for the appointment of a guardian ad litem by the Court, or, (3) a showing satisfactory to the Court that no such appointment is necessary to ensure adequate representation of the minor or incompetent person.

Id. (citing Fed. R. Civ. P. 17(c)). However, there is no evidence identified of the appointment of a representative for the minor child, and no showing that such an appointment is not necessary. Thus, a

1 guardian ad litem must be appointed for Plaintiff P.P. to continue as a named plaintiff in this action.

2 Accordingly, the Court **ORDERS**: Plaintiff P.P. **SHALL** file a motion for Rebecca P. to be
3 appointed as his guardian ad litem **no later than October 8, 2019.**

4
5 IT IS SO ORDERED.

6 Dated: **October 1, 2019**

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE