

FILED

Clerk, U.S. District & Bankruptcy
Court for the District of Columbia

Defendants.

Civil Action No. 1:20-cv-02459 (UNA)

“In all courts of the United States the parties may plead and conduct their own cases personally or by counsel[.]” 28 U.S.C. § 1654. As an artificial entity, a trust cannot proceed in

federal court without licensed counsel. *See Fromm v. Duffy as Tr. of Gary Fromm Family Tr.*, No.19-cv-1121 (EGS), 2020 WL 109056 at *4 (D.D.C. Jan. 9, 2020) (noting that “[c]ourts have interpreted [§ 1654] to preclude a non-attorney from appearing on behalf of another person or an entity such as a corporation, partnership, or trust”); *see also Casares v. Wells Fargo Bank, N.A.*, No. 13-cv-1633 (ABJ), 2015 WL 13679889 at *2 (D.D.C. May 4, 2015) (a “plaintiff, who is proceeding *pro se*, cannot represent the trust in federal court, even as the trustee, as he is not a licensed attorney”) (citing *Hale Joy Trust v. Comm’r of IRS*, 57 Fed. App’x. 323, 324 (9th Cir. 2003) and *Knoefler v. United Bank of Bismark*, 20 F.3d 347, 348 (8th Cir. 1994)).

In addition, an artificial entity cannot proceed under the *in forma pauperis* statute, 28 U.S.C. § 1915(a)(1); the Supreme Court has interpreted that provision as applicable “only to individuals” or “natural persons,” not “artificial entities.” *Rowland v. California Men’s Colony, Unit II Men’s Advisory Council*, 506 U.S. 194, 201–07 (1993).

Consequently, the *in forma pauperis* application, ECF No. 2, is denied and this case will be dismissed without prejudice. A separate order accompanies this memorandum opinion.

/s/
RUDOLPH CONTRERAS
United States District Judge

DATE: September 29, 2020