

RECEIVED & FILED

STATE OF MAINE
ANDROSCOGGIN, SS.

FEB 24 2000
ANDROSCOGGIN
SUPERIOR COURT

SUPERIOR COURT
CIVIL ACTION
DOCKET NO. CV-98-98 ✓
TED-AND-2/24/2000

CINDY JOHNSON on behalf of DONALD L. GARBRECHT
daughter AMANDA PENNELL, LAW LIBRARY

Plaintiff

APR 4 2000

ORDER

v.

MSAD 52/TURNER ELEMENTARY
SCHOOL,

Defendant

In this matter the plaintiff, Cindy Johnson, is acting on behalf of her daughter, Amanda Pennell. The plaintiffs are not represented by an attorney who is admitted to practice within the State of Maine. This issue has previously been raised when the matter was pending before the Magistrate Judge in the United States District Court for the District of Maine.

Upon return of the case to this court, Cindy Johnson has continued to represent the interests of her daughter in a *pro se* capacity. She is not a person who is properly authorized to act on behalf of another within the courts of the State of Maine. See *Haynes, Personal Representative of the Estate of Bruce Jagoe v. Jackson*, 2000 ME 11, (wife of defendant is not allowed to represent infirmed husband even though she possesses a power of attorney); and *Boyer v. Boyer*, 1999 ME 128, 736 A.2d

273 (father of children with an interest in real estate cannot submit pleadings to the court on behalf of his children).

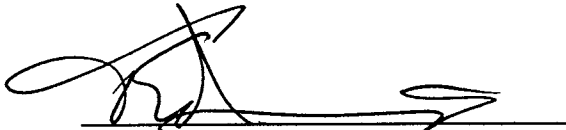
The court conducted a hearing with the plaintiff and counsel for the defendant being present. The plaintiff Cindy Johnson cannot continue to represent the interests of her daughter because she is not an attorney licensed to practice before the courts of this State.

It is Ordered that Cindy Johnson seek out and retain counsel to act in the best interest of her daughter. The plaintiff shall do this within 20 days. Upon her failure to do so, the defendant may move for dismissal or other appropriate action.

The clerk shall incorporate this Order into the docket by reference.

So ordered.

DATED: February 24, 2000



Thomas E. Delahanty II
Justice, Superior Court

Cindy Johnson Pro se

Edward Benjamin Jr, Defendants