

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
CALIFORNIA

Steven Macarthur-Brooks Estate v. Gregory Keith

No. CV 25-2812-E (C.D. Cal. May 23, 2025) · No. No. CV 25-2812-E · Decided May 23, 2025

SUMMARY

The United States District Court for the Central District of California dismissed the removed action without prejudice after plaintiffs failed to comply with an order requiring them to obtain licensed counsel or show cause why the action should not be dismissed. The court held that the estate and trusts could not be represented by a non-attorney and found dismissal appropriate for failure to obey a court order and failure to prosecute. A pending motion to dismiss was denied without prejudice.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                     |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Central District of California                                                                                                                                                                                                                                 |
| WRITING FOR THE COURT | Charles F. Eick                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the Central District of California                                                                                                                                                                                                                                 |
| DECIDED               | May 23, 2025                                                                                                                                                                                                                                                                                        |
| DOCKET                | No. CV 25-2812-E                                                                                                                                                                                                                                                                                    |
| DISPOSITION           | dismissed                                                                                                                                                                                                                                                                                           |
| PROCEDURAL POSTURE    | In a removed civil action, the plaintiffs failed to comply with an order requiring them either to retain licensed counsel or show cause why the action should not be dismissed. The district court dismissed the action without prejudice and denied a pending motion to dismiss without prejudice. |
| PRECEDENTIAL VALUE    | unpublished, nonprecedential district court order                                                                                                                                                                                                                                                   |

TOPICS

- civil procedure
- motions to dismiss
- trusts
- estate litigation

PRACTICE AREAS

- civil procedure
- probate
- trusts
- remedies

QUESTIONS PRESENTED

1. Whether the district court could dismiss the action for plaintiffs' failure to obey an order requiring representation by licensed counsel or a showing of cause.
2. Whether dismissal without prejudice was appropriate under the factors governing dismissal for failure to prosecute and failure to comply with a court order.
3. Whether the pending motion to dismiss should be denied without prejudice after dismissal of the action.

#### HOLDINGS

1. An estate and trusts may not be represented in court by a non-attorney and may not appear pro se.
2. A district court may dismiss an action when a party fails to obey a court order or fails to prosecute, and dismissal without prejudice was appropriate here.
3. The pending motion to dismiss was denied without prejudice in light of the dismissal of the action.

#### KEY QUOTATIONS

*“Such organizations may not be represented in court by a non-attorney, and such organizations may not appear pro se.”* (at 1)

*“A district court may dismiss an action for failure to obey a court order and for failure to prosecute.”* (at 2)

*“In light of this disposition, the Motion to Dismiss, filed April 22, 2025, is denied without prejudice.”* (at 3)

#### FACTUAL BACKGROUND

Steven MacArthur-Brooks, who was not licensed to practice law in California or before the federal court, purported to represent the three plaintiffs. The complaint identified the plaintiffs as an estate and two trusts, which the court determined could not appear pro se or be represented by a non-attorney. After being ordered to retain licensed counsel or show cause, plaintiffs failed to file any response or attempted compliance.

#### PROCEDURAL HISTORY

The action was removed to the Central District of California, and the parties consented to proceed before a magistrate judge. On April 16, 2025, the court ordered plaintiffs to obtain licensed counsel or show cause within twenty-eight days because an unlicensed individual was attempting to represent an estate and two trusts. Plaintiffs filed nothing in response, so the court dismissed the action without prejudice under its authority to dismiss for failure to obey a court order and failure to prosecute. The court also denied the pending motion to dismiss without prejudice.

#### DISPOSITION

dismissed

#### CASES CITED

- J.J. Rissell, Allentown PA Trust v. Marchelos, 976 F.3d 1233, 1236 (11th Cir. 2020)
- In re America West Airlines, 40 F.3d 1058, 1059 (9th Cir. 1994)

- United States v. Brenton, 2007 WL 3124539, at \*2 (D. Neb. Oct. 23, 2007)
- Link v. Wabash Railroad Co., 370 U.S. 626, 629-33 (1962)
- Pagtalunan v. Galaza, 291 F.3d 639, 642-43 (9th Cir. 2002)
- Ferdik v. Bonzelet, 963 F.2d 1258, 1260-62 (9th Cir. 1992)
- Price v. Kaiser Found. Health Plan Inc., 2025 WL 790944 (C.D. Cal. Mar. 11, 2025)
- Steven Macarthur-Brooks Estate v. Moreno, 2025 WL 30390, at \*10 (S.D. Fla. Jan. 6, 2025)

## OPINION

Steven Macarthur-Brooks Estate v. Gregory Keith

PER CURIAM.

1 2 3 4 5 6 7

8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

10

11 STEVEN MACARTHUR-BROOKS No. CV 25-2812-E

ESTATE, ET AL. 12

Plaintiffs,

13 ORDER OF DISMISSAL

v. 14

GREGORY KEITH, ET AL.,

15 Defendants. 16

17 18 In this removed action in which the parties consented to a Magistrate Judge, the Court 19  
filed a Minute Order on April 16, 2025, stating: 20 21 Steven MacArthur-Brooks, an individual  
who is not licensed to practice law 22 in the state of California or before this federal Court,  
purports to represent all three 23 Plaintiffs in this removed action. As identified in the Complaint,  
Plaintiffs are an 24 “Estate” and two “Trusts.” Such organizations may not be represented in court  
by 25 a non-attorney, and such organizations may not appear pro se. See L.R. 83- 26 2.2.2; J.J.  
Rissell, Allentown PA Trust v. Marchelos, 976 F.3d 1233, 1236 (11th  
27 Cir. 2020); In re America West Airlines, 40 F.3d 1058, 1059 (9th Cir. 1994); Price  
1 2025); see also United States v. Brenton, 2007 WL 3124539, at \*2 (D. Neb.  
2 Oct. 23, 2007) (“power of attorney” does not permit court representation).

3 4 Therefore, it is ordered that, within twenty-eight (28) days of the date of this 5 Order, Plaintiffs  
shall either: (1) file an appearance by a licensed attorney 6 retained to represent Plaintiffs in this  
action; or (2) show cause, if there be any, 7 why this action should not be dismissed. Failure timely  
to comply with this Order 8 may result in this action being dismissed. 9 10 Plaintiffs failed timely  
to file anything in response to, or in attempted compliance with, the

11 April 16, 2025 Minute Order.

12 13 A district court may dismiss an action for failure to obey a court order and for failure to 14

prosecute. See *Link v. Wabash Railroad Co.*, 370 U.S. 626, 629-33 (1962); *Pagtalunan v. 15 Galaza*, 291 F.3d 639, 642-43 (9th Cir. 2002), cert. denied, 538 U.S. 909 (2003); *Ferdik v. 16 Bonzelet*, 963 F.2d 1258, 1260-62 (9th Cir.), cert. denied, 506 U.S. 915 (1992). This Court 17 has considered the factors recited in *Ferdik v. Bonzelet*, and has concluded that dismissal 18 without prejudice is appropriate for essentially the same reasons stated by the Court in *Price 19 v. Kaiser Found. Health Plan Inc.*, 2025 WL 790944 (C.D. Cal. March 11, 2025). The Court 20 also observes that the present case is not the first time Steven Macarthur-Brooks has been 21 advised by a federal court that he may not represent organizations in court. See *Steven 22 Macarthur-Brooks Estate v. Moreno*, 2025 WL 30390, at \*10 (S.D. Fla. Jan. 6, 2025). 23 /// 24 /// 25 /// 26 /// 27 /// 1 Therefore, the action is dismissed without prejudice. ' 2 3 LET JUDGMENT BE ENTERED ACCORDINGLY. 4 5 Dated: May 23, 2025. 6

(LEZ

CHARLES F. EICK

8 UNITED STATES MAGISTRATE JUDGE

9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 |; ————— ( \_\_ In light of this disposition, the Motion to Dismiss, filed April 22, 2025, is denied without prejudice. Under the present circumstances, a dismissal of this action with prejudice 28 would be inappropriate under the *Ferdik v. Bonzelet* factors.