

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Dennis Petillo, Jr. v. CSP Sac New Folsom Prison

Petillo · No. 2:21-cv-1471 DC AC P · Decided November 17, 2025

SUMMARY

The court advises plaintiff that the action was closed on December 9, 2024, and that filings submitted after closure will be disregarded. The court states that any requested relief must be pursued in a new, separate lawsuit and explains that a non-attorney inmate may not represent other prisoners.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Allison Claire
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	November 17, 2025
DOCKET	2:21-cv-1471 DC AC P
DISPOSITION	other
PROCEDURAL POSTURE	After the action had been closed, the court received a letter from the plaintiff and another inmate who was not a party to the action. The court issued an order advising that post-closure filings would be disregarded and that any requested relief must be sought in a new lawsuit.
PRECEDENTIAL VALUE	Unknown; district court order marked per curiam with no reported citation.

TOPICS

- civil procedure
- prisoners rights
- civil rights
- section 1983

PRACTICE AREAS

- Prisoner civil rights
- Federal civil procedure

QUESTIONS PRESENTED

1. Whether the court should consider a filing submitted after the action had been closed.

2. Whether a nonattorney or pro se prisoner may represent or seek relief on behalf of other inmates.

HOLDINGS

1. Documents filed in the action after the case was closed will be disregarded, and the court will issue no orders in response to future post-closure filings; any relief sought must be pursued in a new, separate lawsuit.
2. A nonattorney may appear pro se on his or her own behalf but has no authority to appear as an attorney or seek relief for other inmates; an uncounseled complaint by plaintiff may therefore assert only plaintiff's own claims.

KEY QUOTATIONS

“Plaintiff is advised that documents filed in this action or submitted to the court after the closing date will be disregarded, and no orders will issue in response to future filings.” (1)

“To the extent plaintiff seeks relief, he must file a new, separate lawsuit.” (1)

“Accordingly, if plaintiff files a complaint without counsel, he can only seek relief for his own claims, not the claims of other prisoners.” (1)

FACTUAL BACKGROUND

The action had already been closed on December 9, 2024, before the court received a November 3, 2025 letter from plaintiff and another inmate who was not a party. The order also addressed the possibility that plaintiff might attempt to pursue claims on behalf of other prisoners without counsel.

PROCEDURAL HISTORY

The case was closed on December 9, 2024. On November 3, 2025, the court received and docketed a letter from plaintiff and a nonparty inmate; the court responded by order dated November 17, 2025.

DISPOSITION

other

CASES CITED

- *Johns v. County of San Diego*, 114 F.3d 874, 876 (9th Cir. 1997)
- *Jorss v. Schwarzenegger*, 168 F. App'x 825, 826 (9th Cir. 2006)

OPINION

1 2 3 4 5 6 7 UNITED STATES DISTRICT COURT 8 FOR THE EASTERN DISTRICT OF
CALIFORNIA 9 10 DENNIS PETILLO, JR., No. 2:21-cv-1471 DC AC P 1] Plaintiff, 12 Vv.
ORDER 13 CSP SAC NEW FOLSOM PRISON, 14 Defendant. 15 16 On November 3, 2025, the

court received and docketed a letter from plaintiff and another 17 || inmate who is not party to this action. ECF No. 16. This case was closed on December 9, 2024.

18 | ECF Nos. 14, 15. Plaintiff is advised that documents filed in this action or submitted to the court 19 || after the closing date will be disregarded, and no orders will issue in response to future filings. 20 || To the extent plaintiff seeks relief, he must file a new, separate lawsuit. 21 | DATED: November 17, 2025 Ctlhter— 22 ALLISON CLAIRE 53 UNITED STATES MAGISTRATE JUDGE 24 |!

Plaintiff is also advised that non-attorneys (i.e. other inmates) have no authority to represent, appear, or seek relief on the behalf of other inmates. See *Johns v. County of San Diego*, 114 F.3d 25 874, 876 (9th Cir. 1997) (“While a non-attorney may appear pro se on his own behalf, he has no 26 || authority to appear as an attorney for others than himself”) (internal quotations and citation omitted); see also *Jorss v. Schwarzenegger*, 168 F. App’x 825, 826 (9th Cir.

2006) (finding the 27 || district court properly dismissed the complaint because the pro se prisoner plaintiff could not represent others). Accordingly, if plaintiff files a complaint without counsel, he can only seek 28 | relief for his own claims, not the claims of other prisoners.