

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
NEW YORK

Wyoming Financial Group, Inc. v. Sheri Smith, Donte Powell, Dane
Devogelaere, Harrishana Aleena Griffin, Bank of America N.A., JP
Morgan Chase Bank N.A., and BMO Bank N.A.

25-CV-09622 (JAV) · No. 25-CV-09622 (JAV) · Decided December 3, 2025

SUMMARY

The United States District Court for the Southern District of New York dismissed Wyoming Financial Group, Inc.'s action without prejudice because the corporation was proceeding without licensed counsel. The court allowed 30 days from the order's date for the corporation to retain counsel.

CASE DETAILS

COURT	United States District Court for the Southern District of New York
WRITING FOR THE COURT	Jeannette A. Vargas
JURISDICTION	United States District Court for the Southern District of New York
DECIDED	December 3, 2025
DOCKET	25-CV-09622 (JAV)
DISPOSITION	dismissed
PROCEDURAL POSTURE	The plaintiff corporation brought the action pro se in federal district court. The court sua sponte dismissed the action without prejudice because a corporation cannot appear in federal court without licensed counsel.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- civil procedure
- pleadings
- corporate law

PRACTICE AREAS

- civil procedure
- corporate law

QUESTIONS PRESENTED

1. Whether a corporation may prosecute an action in federal court without appearing through a licensed attorney.
2. Whether the action should be dismissed without prejudice and with an opportunity for the corporation to retain counsel.

HOLDINGS

1. A corporation cannot proceed pro se in federal court and must appear through a licensed attorney.

KEY QUOTATIONS

“Corporations, nonprofit organizations, and other artificial entities cannot proceed pro se.”

“lower courts have uniformly held that 28 U.S.C. § 1654, providing that “parties may plead and conduct their own cases personally or by counsel,” does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney” (202)

FACTUAL BACKGROUND

Wyoming Financial Group, Inc. brought the action without appearing through licensed counsel. The complaint was signed by Tasheeme M. Goings, who was not listed as a plaintiff and neither paid the filing fee nor submitted an application to proceed in forma pauperis. The court dismissed the action while permitting the corporation to retain counsel within 30 days.

PROCEDURAL HISTORY

Wyoming Financial Group, Inc. filed the action without counsel. The district court dismissed the action without prejudice and allowed the corporation 30 days to retain counsel.

DISPOSITION

dismissed

CASES CITED

- Rowland v. California Men's Colony, Unit II Men's Advisory Council, 506 U.S. 194, 202 (1993)
- Jones v. Niagara Frontier Transportation Authority, 722 F.2d 20, 22 (2d Cir. 1983)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK WYOMING FINANCIAL GROUP, INC., Plaintiff, -against- 25-CV-09622 (JAV) SHERI SMITH, DONTE POWELL, DANE DEVOGELAERE, HARRISHANA ALEENA ORDER OF DISMISSAL GRIFFIN, BANK OF AMERICA N.A., JP MORGAN CHASE BANK N.A., and BMO BANK N.A., Defendants. JEANNETTE A. VARGAS, United States District Judge: Plaintiff Heights in Wyoming Financial Group, Inc., brings this action pro se.¹ Because Wyoming Financial Group,

Inc. cannot proceed pro se, the Court dismisses the action without prejudice to Wyoming Financial Group, Inc., retaining counsel within 30 days of the date of this order.

DISCUSSION Corporations, nonprofit organizations, and other artificial entities cannot proceed pro se. *Rowland v. California Men's Colony, Unit II Men's Advisory Council*, 506 U.S. 194, 202 (1993) (noting that "lower courts have uniformly held that 28 U.S.C. § 1654, providing that "parties may plead and conduct their own cases personally or by counsel," does not allow corporations, partnerships, or associations to appear in federal court otherwise than through a licensed attorney") (citations omitted); see also *Jones v. Niagara Frontier Transp.*

Auth., 722 F.2d 20, 22 (2d Cir. 1983) (noting that "it is established that a corporation, which is an artificial entity that 1 Tasheeme M. Goings, who is not listed in the action as a plaintiff, signed the complaint. Goings did not submit an application to proceed in forma pauperis (IFP) or pay the filing fees. can only act through agents, cannot proceed pro se').

Thus, the claims brought on behalf of Wyoming Financial Group, Inc., are dismissed without prejudice to Wyoming Financial Group, Inc., retaining counsel. CONCLUSION The Court dismisses the action without prejudice to Wyoming Financial Group, Inc., retaining counsel within 30 days of the date of this order. SO ORDERED. Dated: December 3, 2025 New York, New York
_ ae JEANNETTE A. VARGAS UNITED STATES DISTRICT JUDGE