

Other Orders/Judgments

3:10-cv-04814-FLW -DEA PURPURA et al v. SEBELIUS et al

U.S. District Court

District of New Jersey [LIVE]

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Case Name: PURPURA et al v. SEBELIUS et al

Case Number: 3:10-cv-04814-FLW -DEA

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Docket Text:

LETTER ORDER in re: [14] Letter request for recusal. Signed by Judge Freda L. Wolfson on 12/7/2010. (mmh)

3:10-cv-04814-FLW -DEA Notice has been electronically mailed to:

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3:10-cv-04814-FLW -DEA Notice will not be electronically mailed to::

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dc274fa67207cd32710d8682d1fbaf570baaed0a13898fba90e5267bcc34]]

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
(609) 989-2182

CHAMBERS OF
FREDA L. WOLFSON
UNITED STATES DISTRICT JUDGE

Clarkson S. Fisher Courthouse
402 E. State Street
Trenton, NJ 08608

December 7, 2010

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Re: Purpura v. Sebelius
Docket No.: 10-4814 (FLW)

Dear Messrs. Purpura, Laster and Davis:

This Court is in receipt of another letter by Plaintiffs, pro se, dated December 2, 2010, in which Plaintiffs, once again, make an informal request that I recuse myself in this matter. The Court will not respond to an informal request for recusal and, more importantly, this Court notes that despite Plaintiffs' baseless accusations to the contrary, there is, and has been, no bias or perception of bias for or against any of the parties in this matter. The Court is simply following the rules and procedures established for the orderly determination of all matters that come before this and all Federal Courts.

Moreover, in response to Plaintiffs' contention that they represent any persons or entities other than themselves, the rules governing the practice of law are clear that non-lawyers are not permitted to represent parties in federal court. See United States v. Wilhelm, 570 F.2d 461, 465 (3d Cir.1978). Indeed, this Court does not allow a non-lawyer to act as an advocate for another party. L. Civ. R. 101.1; see also Elizabeth Teachers Union, AFT Local 733 v. Elizabeth Bd. of Educ., Civ. A. No. 90-3343, 1990 WL 174654, at *5 (D.N.J. Nov. 8, 1990) ("A non-attorney may not represent another person."). To do so constitutes the unauthorized practice of law. In

addition, the Court notes that none of the parties included in Plaintiffs' attachment have filed an appearance in this action or filed an action on their own behalf.

Finally, the Court understands that despite filing their Complaint on September 20, 2010, Plaintiffs have failed to properly effectuate service upon the United States. See Fed. R. Civ. P. 4(i)(1)(A)(i).

Very Truly Yours,

/s/ Freda L. Wolfson
Freda L. Wolfson, U.S.D.J.