

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

DEC 10 2021

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CONSTITUTION ASSOCIATION, INC.,
by its founders; et al.,

Plaintiffs-Appellants,

and

B. GREEN; et al.,

Plaintiffs,

v.

KAMALA D. HARRIS,

Defendant-Appellee.

No. 21-56287

D.C. No.

3:20-cv-02379-TWR-BLM

Southern District of California,
San Diego

ORDER

A review of the record reflects that the November 26, 2021 notice of appeal was signed by one individual on behalf of the individual plaintiffs-appellants George F.X. Rombach, Douglas V. Gibbs, Dennis R. Jackson, and the corporate plaintiff-appellant Constitution Association, Inc. *See* Fed. R. App. P. 3(c)(2) (notice of appeal considered filed on behalf of the signer). Although the caption of the notice of appeal appears to list Dennis A. Rasmussen as counsel, no attorney has entered an appearance in the district court or this court on behalf of the individual plaintiffs-appellants or the corporation.

If plaintiffs-appellants are represented by counsel in this appeal, within 21 days days after the date of this order, counsel shall file a notice of appearance in this court.

For George F.X. Rombach, Douglas V. Gibbs, Dennis R. Jackson: If the individual plaintiffs-appellants are not represented by counsel and intend to prosecute this appeal pro se, within 21 days after the date of this order, the individual appellants-plaintiffs shall correct the defect by each filing a personally signed copy of the notice of appeal in the district court. *See* Fed. R. App. P. 3(c)(2); *McKinney v. Debord*, 507 F.2d 501 (9th Cir. 1974) (pro se appellant must personally sign notice of appeal); *see also Becker v. Montgomery*, 532 U.S. 757, 765 (2001) (pro se litigant's failure to sign the notice of appeal is a non-jurisdictional, and therefore, curable defect).

For Constitution Association, Inc.: A corporation must be represented by an attorney admitted to practice before this court. *See In re Highley*, 459 F.2d 554, 555 (9th Cir. 1972). If the corporation plaintiff-appellant Constitution Association, Inc., is not represented by counsel, within 21 days after the date of this order, Constitution Association, Inc., shall show cause why the corporation should not be dismissed as an appellant.

Appellee may file a response within 10 days after any filing by appellants.

The previously established briefing schedule remains in effect.

If appellants fail to comply with this order, the appeal will be dismissed as to the non-complying appellants automatically by the Clerk under Ninth Circuit Rule 42-1.

The Clerk will send a copy of this order to the address for attorney Dennis A. Rasmussen listed on the California State Bar website: Law Office of Dennis Rasmussen, 40639 Rosalie Ave, Hemet, CA 92544.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Delaney Andersen
Deputy Clerk
Ninth Circuit Rule 27-7