

case as a class action, and an extension of time for him to prepare a response to the court's conditional filing order on behalf of all the plaintiffs.

It is inappropriate to certify a class in this action, where a pro se litigant seeks to represent the interests of the class. *See Oxendine v. Williams*, 509 F.2d 1405, 1407 (4th Cir. 1975) (“[I]t is plain error to permit this imprisoned litigant who is unassisted by counsel to represent his fellow inmates in a class action.”). I also do not find that the issue in this case or the plaintiffs’ circumstances warrant exceptional circumstances justifying appointment of counsel at this time. *See Cook v. Bounds*, 518 F.2d 779, 780 (4th Cir. 1975) (finding appointment of counsel to an indigent civil plaintiff only appropriate upon showing of exceptional circumstances).

For the stated reasons, it is hereby **ORDERED** that the motions for certification as a class action and appointment of counsel (ECF Nos. 2 & 8) are **DENIED**, and Canada’s motion seeking an extension of time (ECF No. 7), which can apply only to himself as a plaintiff, is **GRANTED** and he is **DIRECTED** to respond to the conditional filing order within 21 days from entry of this order.

ENTER: October 28, 2014

/s/ James P. Jones
United States District Judge