

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

MICHAEL CONTRERAZ,

1:06-cv-01817-LJO-SMS (PC)

Plaintiff,

ORDER GRANTING IN PART
PLAINTIFF'S REQUEST FOR NAME
CHANGE ON THE COURT'S RECORD

vs.

STOCKBRIDGE, et al.,

ORDER FOR CLERK TO ADD AKA TO
PLAINTIFF'S NAME IN THIS ACTION

Defendants.

(DOCUMENT #14)

_____/

Plaintiff is a prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On November 20, 2008, the court issued an order for plaintiff to file a written response clarifying his name of record. (Doc. 13.) On December 12, 2008, plaintiff filed a response, explaining that his birth name is Michael Contreras, but he uses the name Lofofora Eva Contreras. (Doc. 14.) Plaintiff requested that the court change his name of record in this action from Michael Contreras to Lofofora Eva Contreras.

Plaintiff filed the original complaint in this action on December 14, 2006, using only the name Michael Contreras, which the court entered on the record. The prison where plaintiff is incarcerated also identifies him as Michael Contreras.¹ To replace plaintiff's name of record at this stage of the proceedings would result in inconsistency and confusion of the court's record,

¹ On January 29, 2007, plaintiff submitted a copy of his trust account statement from the California Substance Abuse Treatment Facility in Corcoran, where plaintiff is currently incarcerated, indicating that the prison identifies him using the name Michael Contreras. (Doc. 5.)

1 which may result in prejudice to plaintiff. Notwithstanding plaintiff's assertion that the prison
2 allows a prisoner to use an alternate name as long as the last name and the commitment number
3 are used, the court has found in its experience that changing plaintiff's name from the name
4 used by the prison is likely to cause plaintiff difficulties in receiving his court mail. For these
5 reasons, the court shall deny plaintiff's request to replace his name of record in this action with
6 an entirely different name, and plaintiff's name of record at the court shall remain Michael
7 Contreras. However, good cause appearing, the court shall add the name Lofofora Eva
8 Contreras as an AKA to plaintiff's current name of record. The court shall continue to use the
9 name Michael Contreras when sending plaintiff's court mail..

10 Based on the foregoing, IT IS HEREBY ORDERED that:

- 11 1. Plaintiff's request to replace his name of record in this action is granted in part;
- 12 2. The Clerk is directed to add the AKA "Lofofora Eva Contreras" to plaintiff's
13 name Michael Contreras on the court's record; and
- 14 3. The court shall continue to use the name Michael Contreras for plaintiff when
15 sending him court mail.

16
17 IT IS SO ORDERED.

18 **Dated: January 4, 2009**

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE