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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

WILLIAM DOUGLAS MELLO,)
)
 Plaintiff,)
)
 v.)
)
 J. NEPOMUCENO, et al.,)
)
 Defendants.)

1:09-cv-01962-GSA-PC
ORDER GRANTING PLAINTIFF'S
REQUEST
(Doc. 7.)
ORDER DIRECTING CLERK TO
CORRECT THE COURT'S RECORD
AND RE-ISSUE DOCUMENTS
MAY 31, 2010 DEADLINE FOR
PLAINTIFF TO RETURN FORM

William Douglas Mello ("Plaintiff") is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff filed this action on November 9, 2009. Now pending is plaintiff's request, filed January 8, 2010, for the court to correct the spelling of defendant Nepomuceno's name on the court's record, re-issue court documents, and extend the deadline to return the consent/decline form. (Doc. 6.)

Plaintiff explains that he received case documents from the court reflecting an incorrect spelling of defendant Nepomuceno's last name. A review of the court's record shows that the court inadvertently entered the defendant's name as Nepomucendo instead of the correct spelling Nepomuceno and issued new case documents using the incorrect spelling. Plaintiff requests the court to make a correction and

1 re-issue the documents to Plaintiff with the correct spelling.

2 Pursuant to Rule 60(a) of the Federal Rules of Civil Procedure, “the court may correct a clerical
3 mistake or a mistake arising from oversight or omission whenever one is found in a judgment, order, or
4 other part of the record.” Fed. R. Civ. P 60(a). Accordingly, IT IS HEREBY ORDERED that:

- 5 1. Plaintiff's request filed January 8, 2010, is GRANTED;
- 6 2. The Clerk of Court is DIRECTED to:
 - 7 (1) Correct the spelling of defendant Nepomuceno's name on the court's record; and
 - 8 (2) Re-issue new case documents to Plaintiff, reflecting the correct spelling of
9 defendant Nepomuceno's name; and
- 10 2. Plaintiff is GRANTED an extension of time until May 31, 2010 in which to complete
11 and return the court's form for consent/decline of Magistrate Judge jurisdiction.

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13 IT IS SO ORDERED.

14 **Dated: April 22, 2010**

/s/ Gary S. Austin
UNITED STATES MAGISTRATE JUDGE

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