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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

JOHN EDWARD MITCHELL,  
Plaintiff,  
v.  
PENA, et al  
Defendants.

**Case No. 1:11-cv-01205-LJO-JLT (PC)**  
**ORDER GRANTING PLAINTIFF'S  
REQUEST TO CORRECT THE SPELLING  
OF DEFENDANT "PENA" TO "PINA "**  
**(Doc. 56)**

Plaintiff, John Edward Mitchell, is a state prisoner proceeding pro se and in forma pauperis, in this civil rights action pursuant to 42 U.S.C. § 1983 which he filed on July 21, 2011. On January 30, 2014, Plaintiff filed a document entitled "Request for Correction of Title/Name of Defendant 'Pena.'" (Doc. 56.) In this request, Plaintiff seeks to correct the spelling of the name of "Defendant S. Pena" to "Defendant S. Pina." It is noted that a responsive pleading was filed by "Defendant S. Pina (erroneously sued as 'Pena')." (Doc. 39, 1:20.) It is appropriate to correct the spelling of Defendant's name from "S. Pena" to "S. Pina" to reflect the accurate spelling of Defendant's surname.

Accordingly, Plaintiff's "Request for Correction of Title/Name of Defendant 'Pena,'" filed January 30, 2014 (Doc. 56), is **HEREBY GRANTED**.

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The Clerk of the Court is DIRECTED to correct the spelling of "Defendant S. Pena" to "Defendant S. Pina" both on the docket and in the caption of this action. Likewise, the parties shall hereafter solely utilize the correct spelling of Defendant Pina's surname in all filings in this action.

IT IS SO ORDERED.

Dated: March 13, 2014

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE