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9 COLEMAN PAYNE

10 **UNITED STATES DISTRICT COURT**
11 **EASTERN DISTRICT OF CALIFORNIA**
12 **FRESNO DIVISION**

13 COLEMAN PAYNE, an individual,

14 PLAINTIFF,

15 STATE OF CALIFORNIA, a government entity
16 and state in the United States; DEPARTMENT OF
17 STATE HOSPITALS, a government agency form
18 unknown; METROPOLITAN STATE HOSPITAL,
19 an entity form unknown; COUNTY OF
20 CALAVERAS, a government entity in the State of
21 California; CALAVERAS COUNTY SHERIFF, a
22 governmental agency of unknown form;
23 CALAVERAS COUNTY JAIL, an entity form
24 unknown; SERGEANT BAILEY, an individual;
25 NURSE JOY, an individual; DOES 1 through 50,
26 inclusive.

27 DEFENDANTS.

Case No. 17-CV-00906-DAD-MJS

**STIPULATION TO AMEND
COMPLAINT TO CORRECT THE
NAME FOR DEFENDANT SERGEANT
BAILEY TO HIS FULL AND
CORRECTED NAME JOHN P. BAILEY,
ORDER**

**Judge: Hon. Michael J. Seng
Trial Date: None Assigned
Action Filed: July 2, 2017**

28 **STIPULATION**

Plaintiff Coleman Payne (“Plaintiff”) and DEFENDANT AND SERGEANT BAILEY,
AKA JOHN P. BAILEY, by and through their respective counsel of record , stipulate to allow
Plaintiff to amend her complaint to change the name of Defendant SERGEANT BAILEY to JOHN
P. BAILEY.

1 **IT IS HEREBY STIPULATED AND AGREED** by Plaintiff and Defendant, SERGEANT
2 BAILEY, AKA JOHN P. BAILEY, by and through their counsel, that:

3 1. Plaintiff may amend her complaint to correct the name of Defendant SERGEANT
4 BAILEY to JOHN P. BAILEY.

5 2. This Stipulation may be executed in counterparts.

6
7 **IT IS SO STIPULATED.**

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9
10 DATED: March 2, 2018

MCCORMICK BARSTOW, LLP

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12 By: /s/ Deborah Byron
13 DEBORAH BYRON, Esq.
14 Attorneys for Defendants,
County Of Calaveras and Sergeant John Bailey

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16 DATED: March 2, 2018

SLATER LAW, APC

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18 By: /s/ Theodore Slater
19 THEODORE SLATER, Esq.
20 Attorneys for Plaintiff,
Coleman Payne

Order

Good cause being found and no prejudice to any party or the Court resulting,
PURSUANT TO STIPULATION, THE COURT ORDERS AS FOLLOWS:

Plaintiff in **Case No. 17-CV-00906-DAD-MJS** is granted leave to amend her
complaint and correct the name of Defendant SERGEANT BAILEY to include that
Defendant's complete and correct name: JOHN P. BAILEY.

IT IS SO ORDERED.

Dated: March 5, 2018

/s/ Michael J. Seng
UNITED STATES MAGISTRATE JUDGE